

# Hawaiian Gazette.

OFFICE OF CONGRESS  
GCT 14 1904  
SWITHSONIAN DEPOSIT

VOL. XXXIX, NO. 79.

HONOLULU, H. T., FRIDAY, SEPTEMBER 30, 1904—SEMI-WEEKLY.

WHOLE No. 2672.

## S. E. DAMON MURDERED BY A PORTO RICAN AT MOANALUA

### Had a Fatal Encounter With a Thief Who Had Stolen a Lantern.

### Slashed By a Knife and Bled to Death—Crim- inal Captured and Confesses—Crowd Threatens Lynching but is Foiled.

(From Wednesday's Advertiser.)

S. Edward Damon, son of Hon. S. M. Damon and a member of the banking firm of Bishop & Co., was murdered last evening shortly after 7 o'clock while driving to his home near Moanalua.

A Porto Rican named Jose Miranda, a notorious character, who was lately released from prison, stabbed Mr. Damon and escaped into the city to be arrested. The wound was made in the left side just below the lower rib, the blade having penetrated deep into the abdomen. This cut was about an inch in length on the surface and ran transversely. Mr. Damon was nearly dead when the patrol wagon carried him to the hospital, where he expired at 8:15.

#### MURDER WAS ATROCIOUS.

The murder was one of the most atrocious ever perpetrated in Honolulu, and owing to the prominence of the deceased in business and social affairs the news of his death was a terrible shock.

Within an hour after the murder was committed Deputy High Sheriff Charles Chillingworth had the murderer in a cell at the police station, manacled and alone. A woman companion confessed to Miranda's crime and implicated him in many more crimes as well. The statements made by the woman have been corroborated by Eugene Sullivan of this city, who was present almost at the instant the knife was thrust into the body of the victim. An apparently sure case against the Porto Rican has been made.

At a late hour a menacing crowd gathered near the police station and a false alarm of fire was turned in as it appeared, to draw the police away from the spot. Lynching had been talked of by various irresponsible people and the police, visibly armed, held their posts and succeeded in getting Miranda into Oahu jail.

The latest act of the night's drama was the confession of the prisoner.

#### LANTERN CAUSE OF TROUBLE.

Mr. Damon was driving to his home in Moanalua, which adjoins the property of Mrs. Grace. It was quite dark and the buggy was driven slowly as repairs are being made to the road. At the foot of the hill which rises on the Ewa side of the rice fields near the Grace farm, were some lanterns, placed as danger signals. Nearby stands a broken-down dump cart which has been lying there for months. Mr. Damon came across three persons who were walking toward town. One of them carried a lantern which he had taken from the line. Mr. Damon requested them to replace it and was met with a volley of oaths. He repeated his request and finally jumped out of his buggy and walked toward the group. He was again met with epithets and at the same time Miranda advanced and struck at him. According to witnesses Mr. Damon exclaimed, "I'm stabbed!" and fell back toward his buggy into which he climbed without aid.

#### SULLIVAN ON SCENE.

At this instant Eugene Sullivan came upon the scene. He was accompanied by a young Chinese boy. They saw the trouble, heard the victim's cry, and Sullivan rushed toward the man standing near the horse. As he did so the Porto Rican exclaimed:

"You leave me alone, or I'll do the same thing to you!"

The Porto Rican advanced threateningly toward Mr. Sullivan and the latter did not close in with the armed man. As he backed away, the three people disappeared in the darkness.

#### A WILD RIDE.

Mr. Sullivan ran toward the buggy and learned the identity of the victim. He placed Mr. Damon firmly on the seat and taking up the reins drove into town as fast as possible. At the police station Mr. Damon was transferred to the patrol wagon and conveyed to the Queen's Hospital. At the station Mr. Damon's hands were cold and on reaching the hospital it was seen that life was swinging in the balance. He was unconscious when brought there and died without making a statement.

The knife had passed through the fold of the lapel of his white linen coat, through his stiff-bosomed shirt, grazing a rib and hurving itself deep into the abdomen. He was covered with blood, his clothing being saturated.

Mr. Damon wore no shoes at the time. This is explained by the fact that he had been down to the bay working over a boat and had come barefooted.

#### POLICE SPREAD OUT.

As soon as Deputy Sheriff Chilling-

worth was notified he sent men out in all directions. The only information he had at that time was that the murderous party was composed of natives, and that the woman wore a pink dress and the man leggings. It was this information which almost threw the officers off the scent as the murderer proved to be a Porto Rican and his companion a Porto Rican woman, the third being a partially blind Porto Rican.

#### CHILLINGWORTH'S WORK.

Deputy Sheriff Chillingworth did as good a piece of work as he has accomplished in his long and successful career in the police department. His intuition at a critical instant saved him from continuing on the wrong scent and it brought the real culprits into his clutches.

"When I came down to the station last evening to work on liquor and gambling cases," said the Deputy, "the station clerk told me he had heard from Isaac Cockett that Ned Damon was badly done up. I supposed that Ned had probably been to a political meeting and that he had been worried in a speech. I was told, however, that he had been stabbed. I jumped into Thompson's back and we drove down to Moanalua on the dead run. The only information I had was that there were natives suspected of the crime and that the woman wore a pink dress and the man leggings. I offered a reward before leaving the station of \$500 for the arrest of these people, and I made a promise of \$1000 reward if the murderer himself was brought in."

"I sent about twenty-five natives out to the various camps and tenements with instructions to learn if any had been away from their places during the evening."

#### FINDS HANDKERCHIEF.

"Near the scene of the murder I found a black handkerchief which I put in my pocket with the intention of letting bloodhounds take up the scent from it. We worked about the place looking for some kind of a clue and then started in to town again."

#### THE WOMAN ESPIED.

"When near the corner of Liliha and King streets I saw a native woman in a pink dress and immediately took charge of her. I was satisfied she was innocent. As I turned about to re-enter my hack I saw a Porto Rican woman, who has been in jail any number of times, and was recently let out of Oahu Prison. She is a large woman and might be taken for a Hawaiian. She wore a pink dress. She smiled at me. As I went by I looked through the glass window in the back of the hack and saw her make a motion behind her. Two men arose from behind the stone wall near the corner. At that I jumped out of the hack, drew my gun and pointing it at the larger man, called to him to stop. One man ran toward me. He was blind as I afterwards learned. The woman started to run, but I caught her and the other man. I bundled them all into the hack and brought them to the station."

#### BLOOD STAINS ON COAT.

"As the turnkey was about to search Jose, the larger Porto Rican, I saw blood stains on his white duck coat just below the pocket. I felt a great relief rise within me, for I knew I had my man. There were blood stains on his sleeve, and all were recent smudges."

#### WOMAN CONFESSES.

The murderer took things coolly during the searching process. He was then led below and his hands manacled. He was placed in a cell and a watch put over him.

The woman, meantime, was nervous, and seemed to want to get the Deputy Sheriff off to one side. In the presence of the turnkey and an Advertiser reporter, the Deputy closely questioned the woman. In fairly good English she said:

"Yes, him Jose strike white man on road. Yes, I see him strike at him, like this (using a pencil and advancing toward the Deputy Sheriff). He strike white man right here (pointing to the region of the abdomen). White man come along in buggy and ask us why we take kukul away from fence. Jose tell him to go to —. White man get out of buggy and say, 'Why you no put kukul back again?' Jose then strike him. I get ver' much afraid inside and run. Nother man come up and Jose say he do same thing to him."

#### THE LATE S. E. DAMON.

He flew de knife away.

#### FATHER INTERVIEWS POLICE.

Hon. S. M. Damon, father of the murdered man, came to the station House with Mr. McKinnon, brother of Mrs. Edward Damon, and had an interview with High Sheriff Brown and the Deputy. Mr. Damon showed unmistakable signs of shock, but he talked calmly on most matters and showed his gratification on learning that the police had captured the murderer. He then went to the hospital morgue where the remains had been laid out. Later Mr. Damon and Mrs. Frank Damon drove to the home of the widow to break the news.

#### DETAILS OF CRIME.

In the presence of High Sheriff Brown, Deputy Sheriff Chillingworth, Deputy Attorney General Prosser, Secretary Atkinson and press representatives, the woman made a complete confession which fixes the crime on Jose Miranda.

She told her story willingly and without compulsion, endeavoring to be as exact as possible in her statement which was written down by the High Sheriff.

"My name is Marie Antonia Colonna," she said. "I was coming into town from Puukoa. I went out to Puukoa yesterday morning, by electric car to Kailua and then about. This was about 10 a. m. (Mrs. Grace's daughter had seen her going in the direction of Puukoa after leaving the car). Tonight I go on foot near Moanalua. I was with Jose Miranda. We come along the road and see a lantern on the fence. He told me to take the light. I say, no, blimey I get into trouble. I know that 'cause I been here (meaning the station) too many times already. Chito, the blind boy, wanted me to take the light and I say no. I say you take it. Jose then took the lantern himself and we started toward Honolulu. Two men come along in carriage toward Moanalua. I think carriage have two white men. He stop carriage and say to us, 'thinkin' we natives: 'Eh, pehea hapai kela kukul?' (Why are you taking that lamp?) Jose said: 'You go to — no — business you.' We go on, but carriage turn around and come back toward us. The white man say: 'You please put the lamp back.' Jose said: 'You go to —, no — business you.'"

"The white man jump out of the rig and came toward Jose saying, 'Please put that lamp back.' I saw Jose fumbling about his waist. Then I saw knife in his hand and he went toward white man with his hand like this (holding her hand up in a striking attitude). I see him strike man down here in stomach, only one time, and then we turn around to go away. I ver' much afraid here in my heart. Just then another man come up, no, two men. Jose say to one man, 'You let me go, you stay from me, or I do same thing to you.' That's all I know. 'No, white man no fall down. He stumble toward his buggy, grunting and groaning.'"

This entire statement was corroborated by Eugene Sullivan.

#### JOSE STEEPED IN CRIME.

The woman then went on to tell of her relations with Jose. Both had been in jail for various offenses. She has recently been staying at Puukoa in a Chinese house. A week ago Friday Jose came there, having just been released from prison.

She gave him meat and drink and also gave him money. The Chinaman finally ordered both Jose and the woman away and they came toward town. On the way Jose robbed a countryman. He took \$40. Then we need grub. He send me to store to buy stuff. If he go himself somebody catch on that he is robber. So he give me \$1 and so on.

#### TO WAYLAY CHINAMEN.

"Then he make another scheme to rob Chinamen on the road. He say to Chito and me, 'You take up stone in your hands and we wait until Chinamen come along. Then we jump on them and pound him with stone and then get some money.'"

"We stop one Pake, but he get away."

(Continued on Page 2.)

## THE JURY SYSTEM

### D. L. Withington On Its Numerous Drawbacks.

Honolulu, Sept. 29, 1904.

Editor Advertiser: Your editorial in this morning's issue on the "Collapse of the Jury system in Honolulu" touches a spot vital to the safety of the Republic.

In the main I agree with it, but I do not agree with so much of it as holds Judge Gear and his fellow Circuit Judges responsible. I do not hold them free from criticism. They have fallen into the flow of the tide and floated with it instead of boldly stemming it.

It was my fortune to practice law for more than ten years in Massachusetts and for nearly twenty years in California, and I can bear witness to the fact that jury system in Massachusetts, while far from perfect, is still efficient, prompt and impartial and that the like system in California is equally dilatory, inefficient, unsatisfactory. A jury case a week is a fact noted in California while Massachusetts will average three.

The difference between the two systems is primarily due to the fact that the California method, which is an extension of the New York system, commences a trial by an inquisition of the facts of a character not surpassed since the days of Philip II; whereas, under the Massachusetts system, no inquisition of the juror is allowed. They have not yet substituted the trial of the juror for the trial of the accused.

It is not practiced long enough in this territory to speak with any knowledge of its former methods of criminal procedure. So far as the Organic Act is concerned and the Statutes of the Territory there would seem to be no warrant for the inquisition; in fact the Statute would seem to be otherwise and as in this country the common law, except as modified by statute and precedent prevails, there would seem to be an additional reason why it should not be allowed. Under the common law and according to the practice of most of the courts, a challenge must precede an examination and it has been an open question whether the juror could be interrogated at all; in any event there was no right to examine the juror in order to fish for some ground of exception. When the challenge was made it could be tried by the court or by jurors and so the Hawaiian Statute provides, but the ground had to be alleged with particularity. Of course under such a system of procedure very few challenges were indulged in and jury trials proceeded in an orderly course. In order to mitigate this rule, some of the States, as Massachusetts, allowed, on motion of either party and for good cause shown, the court, but not the counsel, to ask certain prescribed questions of the juror, viz: Whether they had formed or expressed an opinion or had any bias or prejudice, but counsel of either party were denied the right, personally, to interrogate the jurors on the ground that the orderly conducting of trials was better promoted by the court's making the general interrogatory.

On the other hand, California, in an early case, started the opposite theory and held that counsel could hold an inquest on the juror before being called on for challenge. The result has been the prolonging of trials, the absolute destruction of the possibility of getting an intelligent jury in any case of public importance and the frequent miscarriage of justice. I sincerely hope that this Territory will not commit a like mistake.

The whole subject of jurors has been twisted out of all semblance to its original form. The criminal of today who appeals to his country, according to the theory of modern law, has a right to select what men shall try him. Such is the practical operation of the modern system; such was not the theory of the common law. The accused had the right to appeal to his country but the government had the right to determine what portion of his country should try the case. When a panel was summoned, the State could direct such jurors as they saw fit to stand aside, or, in other words, could select twelve men out of the entire panel; if any of the twelve were challenged for cause or peremptorily, then the man who stood aside served as juror unless the State could show cause against his summons or challenge peremptorily.

It is to be wondered at that so many failures of justice occur if the people allow the law to be perverted? The trouble is not with the judges alone, in fact, less with the judges than with

(Continued on Page 3.)

## EPIDEMICS ABOUT LIAOYANG

### Russians Retiring From Mukden and May Make No Stand There.

(ASSOCIATED PRESS CABLEGRAMS.)

TIELING, Sept. 30.—The Japanese around Tieling are said to be decimated by epidemics caused by decaying corpses. They are receiving war clothing from America. The Japanese are damming the Liao river to protect their left.

#### RUSSIANS ARE RETIRING.

NEWCHWANG, Sept. 30.—The main force of the Russians have retired north of Mukden. The indications are that no attempt will be made to hold Mukden.

#### THE LENA'S CONSORT SEEN.

BELLINGHAM, Sept. 30.—A Russian gunboat is reported off southeastern Alaska.

#### AFTERNOON REPORT.

CHEFOO, Sept. 29.—The British steamer Yiksang was stopped by a Japanese warship and her papers examined. She was allowed to proceed.

TOKIO, Sept. 29.—The conscription regulations which have been promulgated augment the available Japanese forces by 200,000. ST. PETERSBURG, Sept. 29.—The news from Mukden is to the effect that the Japanese have resumed the offensive. They have captured Da Pass and are pressing Kuropatkin's left flank. The Russians evacuated the Pass without serious resistance.

ST. PETERSBURG, Sept. 28.—The indications are that the Japanese are advancing from Tieling and Simminton towards Mukden. Kuropatkin is fortifying Fakoman, northeast of Mukden, and it is believed the Russians will hold Mukden. Oyama's army covers a front of sixty miles, the wings extending northeast and west of Mukden.

TOKIO, Sept. 28.—The sick and wounded in the Japanese hospitals number 45,000. The death rate is small.

SEOUL, Sept. 29.—Preparations are being made for a winter campaign in northeastern Korea.

#### JAPANESE REPULSED.

ST. PETERSBURG, Sept. 29.—Kuropatkin has telegraphed that in numerous skirmishes the Japanese have been repulsed.

#### CHINA'S APPREHENSIONS.

PEKING, Sept. 29.—Wu Ting Fang has been ordered to sound the powers about the protection of China's interests at the end of the war.

#### RUSSIANS REINFORCED.

MUKDEN, Sept. 29.—Fresh troops, convalescents largely, are arriving.

#### THE FINED DIPLOMAT.

PITTSFIELD, Mass., Sept. 30.—The justice of the peace who fined the secretary of the British Embassy for overspeeding his automobile has remitted the fine and apologized.

#### SENATOR HOAR DEAD.

WORCESTER, Sept. 30.—Senator Hoar is dead.

## BANKS WILL REDUCE DISCOUNT ON WARRANTS

An agreement was made between the four banks yesterday afternoon, that all registered Treasury warrants issued from now till November will be taken at 99—a discount of one per cent instead of the two per cent heretofore charged.

Just previous to the conference of bankers an Advertiser reporter had interviewed Clarence H. Cooks of the Bank of Hawaii, E. I. Spalding of the Bank of Claus Spreckels & Co., S. M. Damon and Robert R. Reidford of Bishop & Co.'s Bank and Cecil Brown and W. G. Cooper of the First National Bank of Hawaii upon the subject.

None of the banks had quite decided

the matter then, but in each instance a disposition to make concessions on account of the short period of these warrants was manifested. Two of the banks mentioned rates they would probably offer. One of these was the First National, but Mr. Brown, on finding that the offers were apart, retracted his statement—a very liberal one by the way—until he could bring about a consultation of the four institutions.

So expeditious was Mr. Brown that before the reporter could see him again, the information of the agreement was sent to the Advertiser office.

Several of the bankers spoke with appreciation of the redemption of Treasurer A. J. Campbell's promises in regard to paying warrants heretofore.







# MOTORING IN HAWAII

## A Trade Journal On Auto Pleasures Here.

Motor, the Auto organ, has the following article, which is well illustrated on Hawaiian Motoring:

No other country in the world offers to the entranced eye of the pleasure seeker, who is a nature lover as well, so many vistas of beauty as do the roads in Hawaii. The Hawaiian Islands, the newest country geologically in the world—in fact, the process of manufacture still goes on—are five in number, taken from the inhabited standpoint, and four when judged as ordinarily highly attractive. From Kauai on the north, past Oahu and Maui to Hawaii on the south, there is offered a combination of attractions which can be equalled by no other group in the world. These islands lie just within the Tropics, and yet, by reason of their being in the track of the trade winds, they never are torrid. Physically they present manifold attractions. The highest point between the shores of the Pacific is the summit of the vast dome of Mauna Kea on the Island of Hawaii. This cone, from a base 30 miles in diameter, rises 14,000 feet from the sea, and since in reality the exposed portion is but half of the real mountain, whose base lies on the floor of the mountain, there is nothing in the surroundings to detract from the majesty of the dome as seen from the steamers which ply along either side of the island. The first view does not impress one that the great mountain is so high, but it grows on one; and finally the picture, a water color in effect, painted by the sun shining on the glistening snowcap, forms one of the most attractive of views in tropical grandeur. Along the sides of this mountain and its sister peak, Mauna Loa, only a few hundred feet lower, are tropical forests, even jungles, through which lie routes offering vistas of rare beauty.

Over these roads, of which about eighty per cent are macadam boulevard, eighteen per cent earth, and two per cent very rough lava, the driving of a motor car means the enjoyment of the greatest pleasure that the new conveyance may give. In circling the big island, every possible change of view is offered. Often a stretch of road will lie through a bower of fern and koa trees, the roadway hedged with roses, from which one emerges to cross a lava bed dotted here and there with formations so strange and unusual that one's interest is aroused and held. Along a hillside, perhaps 1,500 feet above the sea, the road will run through seemingly interminable groves of coffee or fields of cane, to curve suddenly around a small gulch until one finds himself going across a spider-web bridge far above a tumbling little torrent. Again one ascends to plateaus where the air is cool and bracing by reason of the elevation, and for miles speeds over level prairie dotted everywhere with bunches of cattle and horses.

Some little difficulty is encountered in meeting the problem presented by the lava fields. The surface cuts like emery, and it is not infrequent that a horse newly shod for your drive in the morning loses his shoes by their being worn off before he is stable at night. Strange as it may seem, the lava is not as hard on rubber tires.

In Honolulu, the capital and business center of the territory, motoring has passed the stage of fad. In 1900 a well-equipped company went into the business of conducting a cab service with electric machines. Its rolling stock was of primitive type, exceedingly heavy, and break-downs were so frequent that the cars fell into some disrepute, were shipped back to Chicago, and there later destroyed in a fire. A locomobile hack service was maintained for a time, but was not commercially successful. Both of these experiments were of service in installing the machine in the good graces of the island people and in opening their eyes to the merits of the new vehicle.

There now is a preponderance of gasoline machines, although the steam wagons are constantly seen, one being used regularly in a mail-route stage service. One of the earliest of the steamers was a runabout brought home for her own use by former Queen Liliuokalani, some five years ago. Prince David Kawananakoa is often seen driving his own runabout or a dos-o-dos. These first cars are mostly Locomobiles, but very shortly after their introduction the gasoline machine began to appear, and now scores were rather quickly picked up and touring cars of the same build are under order by two or three business men. C. M. Cook, president of the Bank of Hawaii, drives a Rambler tonneau to and from his mountain house. Orders are also in for Ford tonneau cars. Alexander Young, formerly Minister of the Interior, one of the prominent figures in Honolulu's business life, has a White touring car, which has made local records for speed and hill climbing.

The roads on the island of Oahu about Honolulu are, as a rule, of the very first order. One of the most superb drives in the United States is up to the elevation of 1,800 feet, through the forest on the slope of Mt. Tantalus, immediately back of Honolulu. At no point is the grade higher than seven per cent, and most of the five miles it is less than five per cent.

Five miles from Honolulu is the greatest natural wonder within a like distance of any city in the world, the Nuuanu Falls, the sheer cliff at the head of the one valley that affords passage between the two sides of the island.

land. It was over this precipice of close to 1,000 feet that Kamehameha the Great, the emperor whose skill and knowledge won for him the title of "Napoleon of the Pacific," drove 1,000 of his enemies to death. Around the cliffs which border it, there has been constructed a modern road, which makes of the trip the most attractive in the vicinity. The five miles offer a very pleasant half hour's ride up a valley that furnishes the principal water supply for the city, and whose lower end is dotted with fine country homes. The gap at the head of the valley is somewhat like a funnel, through which the trade winds from the northeast blow with great force. So constant are the breezes, that going up the valley, one sees many little waterfalls thrusting themselves out from the face of the cliff, only to be dissipated in mist when the wind picks up the body of water.

The delights of motor transportation are growing upon the Hawaiians, and new orders are being fast placed in the hands of makers for cars. A number of visitors who have enjoyed the beauty of this tropical wonderland contemplate bringing over cars this fall, and it is safe to assume that within a very few years it will be quite the thing for the possessor of a machine of any type to send it along when he comes to the most perfect climate in the world, to escape the northern winter. There is probably no more than one stretch in the entire archipelago where one is not in constant touch with supplies of fuel, with charging stations, and repair shops.

## SCHAEFER BUYS HANA MACHINERY

F. A. Schaefer & Co. yesterday made an offer to purchase from the Hana plantation one 30-inch by 60-inch two-roller mill, gearing, bed-plate, complete and one left hand Putnam engine 15x38, now lying in the storeroom at Hana, Maui, for the sum of \$1500.

The attorneys for the various parties in the case of Sigmund Grinbaum et al vs. Hana Plantation Co., bill for foreclosure of mortgage, stipulated to present a motion to the circuit judge to permit the sale to take place to the Pacific Sugar Mill Co. Judge Robinson made an order to this effect, and the money, when presented for payment, will pass into the custody of the court temporarily.

## POOR RESULTS OF THE JURY SYSTEM

Subpoenas were sent out yesterday to all members of the House of Representatives of the Legislature of 1903 to appear before Judge Gear on Monday next when the trial of Solomon Meheula, charged with gross cheat while he was clerk of the House, will be called. The legislators stand a chance of being held in Honolulu for some time owing to the slow progress in securing a jury for the Hayashida case.

Deputy Attorney General Prosser called attention yesterday in court to the poor results of the jury commissioners' work in filling out the 1904 list, which had upon it men too old, some too young, many who could not understand English and some who were not citizens.

### OF THE MULTITUDES

who have used it, or are now using it, we have never heard of anyone who has been disappointed in it. No claims are made for it except those which are amply justified by experience. In commending it to the afflicted we simply point to its record. It has done great things, and it is certain to continue the excellent work. There is—we may honestly affirm—no medicine which can be used with greater and more reasonable faith and confidence. It nourishes and keeps up the strength during those periods when the appetite fails and food cannot be digested. To guard against imitations this "trade mark" is put on every bottle of



"Wampole's Preparation," and without it none is genuine. It is palatable as honey and contains the nutritive and curative properties of Pure Cod Liver Oil, extracted by us from fresh cod livers, combined with the Compound Syrup of Hypophosphites and the Extracts of Malt and Wild Cherry. Taken before meals it creates an appetite, aids digestion, renews vital power, drives out disease germs, makes the blood rich, red and full of constructive elements, and gives back to the pleasures and labors of the world many who had abandoned hope. Doctor S. H. McCoy, of Canada, says: "I testify with pleasure to its unlimited usefulness as a tissue builder." Its curative powers can always be relied upon. It makes a new era in medicine, and is beneficial from the first dose. "You can trust it as the Ivy does the Oak." One bottle convinces. Avoid all unreliable imitations. Sold by chemists throughout the world.

# JUSTICE IS NOT SLOW IN FOLLOWING THE CRIME

## Miranda Under Indictment for the Murder of S. E. Damon—No Lawyer in Court Would Defend Him—His Plea Continued.

(From Thursday's Advertiser.)

Justice has been as fleet-footed in arranging the preliminaries for a speedy trial of Samuel E. Damon's slayer as it was in compassing his apprehension.

Early yesterday forenoon Jose Miranda was indicted for wilful and premeditated murder with malice aforethought and then arraigned in the criminal division of the September term of the First Circuit Court. The plea of the accused was not taken because none of the lawyers attending court would accept without compulsion the duty of defending him.

Although the grand jury was in the midst of a week's recess, its members were readily convened under emergency summons to investigate the charge against Miranda. The session was held in the stenographers' room of the Judiciary building. A large crowd of citizens and aliens assembled in the corridors and about the entrance of Judge Gear's court room.

Both Attorney General L. Andrews and his Deputy, M. F. Prosser, attended the grand jury. Witnesses in waiting, not all of whom were found necessary to call, were Deputy High Sheriff Chillingworth, Detective McDuffie, Dr. Judd, Eugene P. Sullivan and Mary Antonio Colon, the woman who was an eye-witness, as Miranda's companion, of the murder.

Exhibits shown to the grand jury were the knife with which the deed was done and the blood-stained coat of Miranda. The weapon is a rough stiletto about eight inches long, the blade alone being five inches clear, having a handle of oak trimmed with lead. Somewhat nicked

and rusty the instrument of murder is otherwise marked with smudges of blood. It was found by Detective McDuffie near the scene of the dastardly crime and yesterday morning Miranda admitted that it was the implement with which he had struck Damon down.

### THE PRESENTMENT.

It was at 10:15 o'clock that the grand jury filed into court headed by its foreman, Joshua D. Tucker, who in a voice of emotion thus addressed the court: "Your Honor: In presenting this indictment it is the unanimous request of the grand jury—I do not know that we have the right to demand it—that this case take precedence of everything else, because of the atrocity of the crime, because of the state of feeling generally in the community and because of the dangerous class of people to which this defendant belongs."

Judge Gear at once ordered that the case of Territory of Hawaii vs. Jose Miranda, murder, be placed on the calendar. He also consented to hear the arraignment of the prisoner at any time and excused the grand jury until Monday next.

### THE ARRAIGNMENT.

Jose Miranda was brought into court through the Law Library door, the public entrance of the court room being filled with a dense and motley throng. The prisoner was escorted to the bar by Deputy High Sheriff C. F. Chillingworth, Detectives Renshaw and McDuffie and Bailiff Ellis, with two other police officers attending.

The Hayashida trial had just been resumed and the calling of the return of the special venire of jurors was in progress. J. W. Cathcart, counsel for Hayashida, objected to the interruption of the case, also to the receiving of the report of the grand jury in presence of the jury summoned for the trial of

## THE PROPOSED REPUBLICAN LAW MAKERS FROM THE FIFTH



J. SHAW.



A. S. KALEIOPUS.



THOS. KALAWALA.



O. COX.



CHAS. BROAD.



S. MAHELONA.

Hayashida.

Judge Gear continued the hearing of the Hayashida case for five minutes, to which action Mr. Cathcart noted exceptions. A Spanish interpreter being then sworn, Deputy Attorney General M. F. Prosser handed a copy of the indictment to the prisoner and proceeded to read from the original document. It charged Jose Miranda in the usual phraseology with having, at Moanalua on the night of October 27, 1904, inflicted a mortal wound with a knife on the person of Samuel Edward Damon whereof he died on the same night, thereby being guilty of the crime of murder in the first degree. The indictment was signed by Joshua D. Tucker, foreman of the grand jury, and countersigned by Lorin Andrews, Attorney General.

Judge Gear, when the indictment had been interpreted throughout to Miranda, informed the prisoner that the Constitution of the United States entitled him to the services of professional counsel before he pleaded to the indictment. The judge asked him if he had counsel employed.

Miranda answered that he had none and that he had no money to employ counsel.

### LAWYERS BEG OFF.

Wade Warren Thayer, having been asked by the court if he would appear for the defense, replied:

"I cannot think of it. I have represented Mr. Damon too long to appear in this case."

Sidney M. Ballou was asked if he would take the place. He answered that he had not taken part in a criminal case for some years. Besides he had represented Mr. Damon in civil matters. It would scarcely be fair to the prisoner for him to be his counsel.

Mr. Cathcart was the next attorney suggested, but he said he should be the last one called. He had a criminal case from which he would probably receive nothing. It was necessary for him to earn his living. A whole week of services free, for the sake of justice, ought to be enough exaction of his time. There was Mr. Dunne, able counsel, in the room.

J. J. Dunne, at mention of his name, exclaimed:

"I would not defend that man. My sympathies are all the other way. I was a friend of Mr. Damon. I would not defend that man under any circumstances."

Samuel F. Chillingworth, on being spoken to, said he had defended a man who was sentenced only that morning. He depended on his profession for a living and could hardly be expected to take one free case after another.

Judge Gear sent the bailiff out of the room to look for lawyers and J. M. Monsarrat was brought in.

Mr. Monsarrat, on coming forward, pleaded that he had not been practicing criminal law for some time. There were others who should be called on before him, as he could hardly be expected to do justice to the case.

The court then continued the defendant's plea until 10 o'clock this (Thursday) morning.

### PRISONER WAS BOLD.

Miranda at the bar stood erect in the attitude of a pugilist awaiting the referee's gong. With head elevated he revealed an open and not repulsive countenance, out of which a pair of bright eyes calmly took the range of the court room without resting anywhere in particular. A diagonally meshed net undershirt with short sleeves heightened the effect of an athletic frame and, well-developed muscles. He might fairly be called a fine specimen of the half-breed Spaniard of the Antilles, yet his bold demeanor under the awful circumstances in which he stood denoted him a dangerous man of thoroughbred type.

When the case was continued, Miranda was removed under his strong escort by the way he came.

## KUMALAE IS TURNED DOWN AND APPEALS

Jonah Kumalae came up again to be registered yesterday afternoon at 4:50, pursuant to appointment made by the Board of Registration on Tuesday. On the board's refusal to register him that day, he stated that he had retained former Justice Galbraith as counsel and would the following day be able to present authorities in favor of his eligibility.

Mr. Galbraith for some reason unexplained did not appear, but Mr. Kumalae was accompanied to the registration stalls by Charles Notley, Home Rule candidate for Delegate to Congress, Mr. Kupieha, Mr. Kealoha and other lights of Home Rule.

Mr. Kumalae was turned down. On entering the place he made a fresh request to be registered.

Questioned by Chairman W. T. Rawlins, the candidate for the electoral suffrage admitted that he had been convicted of gross cheat, but contended that as he had appealed to the Supreme Court the conviction did not stand against him at present. His civil rights had not been taken away from him. He asserted that he had consulted several attorneys, all of whom had advised him that a refusal of registration would be unlawfully taking his civil rights from him.

Candidate Notley asked permission to say a word, which was granted. His chief contention was that there were always two sides—that of the greater evil and that of the lesser evil. The board should look at the lesser evil and allow Mr. Kumalae to register.

Mr. Rawlins replied that it was not a question of greater or lesser evils, but one of whether Mr. Kumalae could lawfully register as a voter on this island.

Mr. Kupieha quoted sections of the Organic Act which were not applicable. Kumalae's case had gone through "one department of justice, but not through the other." In case the Supreme Court reversed the judgment against Kumalae, it would then be too late for him to register.

Mr. Rawlins cited the law against the applicant and then put it to the board and the declared opinion was unanimous that Kumalae should not be allowed to register.

Mr. Kumalae gave notice of an appeal to the Supreme Court.

# ORATORY AT PAUOA

## A Roast for Brown. Cupid Waxes Eloquent.

(From Wednesday's Advertiser.)

Republican oratory resounded through the trees of the Pauoa school house grounds last night. There was a good crowd gathered on benches around a raised stand erected in front of the building and kerosene torches shed a fitful glare on the scene. The quintet club sat in front of the platform and discoursed sweet music between the speeches and drank soda during them.

Robert Boyd, was chairman of the meeting and delivered the opening address besides interpreting the address of the haple speakers into Hawaiian. The principal arguments used for the election of Prince Kuhio were that he was experienced and that if a Republican delegate were elected that government appropriations would follow and that there would be work for all.

E. Faxon Bishop was the first speaker and urged the election of Kuhio because of his fine record and because it would be foolish to send a Democrat to try and seek favors from a Republican administration.

He defended the Fifth district legislative ticket and eulogized that of the Fourth, saying that if the people had any confidence in him they would have trust in them. He refrained from any attack on the Advertiser, but in his translation Boyd managed to get in a whack when repeating the portion of the speech about the Fifth district candidates.

Candidate Lilikalani was next introduced and delivered an eloquent address in Hawaiian. In the midst of his address Prince Cupid appeared and the audience rose and gave three cheers, "Hawaii Pono!" being sung.

Delegate Kuhio was the next speaker and he delivered a long address in Hawaiian. He referred to his work in Washington and defended his treatment of Morris Keokokole, closing with an appeal for the Senatorial ticket. He was heartily cheered.

Chairman Robertson of the Republican committee delivered a long speech in support of the ticket. He commended the work of Kuhio who he said had traveled in the United States, England, France, Germany, Africa and Australia and knew how to do business with the white man with that of Robert Wilcox who was not experienced. Robertson made a touching reference to his own regard for Pauoa valley and its people, saying that as the water of its stream was used for washing at his birthplace he felt that there was a tie that bound him to Pauoa valley.

Robertson soaked Cecil Brown with a vengeance, calling him a traitor and all manner of bad names. He explained the scheme of the Democrats in leaving a blank on the ticket and cautioned the voters not to fall into the pit laid for them. Robertson told the people that with Kuhio in Congress and in harmony with the Republican administration that work would be in plenty and prosperity in the land.

Mr. Robertson was followed by E. W. Quinn, candidate for the House of Representatives. He made a short speech in which he said that he was the friend of the laboring man and asked the people for their votes. After a number by the quintet club the meeting proper closed and a number of impromptu speeches were delivered by numerous local oratorical lights.

### Tenders for Bridge.

Bids were opened at the Department of Public Works yesterday as follows for a steel-concrete bridge at Wahlawa, Kolos, Kaula:

Cotton Bros. & Co., 120 days.....\$2825  
L. M. Whitehouse, 140 days..... 7145  
H. A. Jaeger, 100 days..... 7150  
M. A. Rego, 165 days..... 8430

## WHAT A BLESSING

Many People Are Learning to Appreciate in Honolulu.

What a blessing it is. Sought after by thousands. Honolulu is finding it out. Many a miserable man is happy now. Nights of unrest, days of trouble. Any itching skin disease means this. Itching Piles mean it. Eczema just as bad, and just as bad to cure.

But Doan's Ointment relieves at once, and cures all itchiness of the skin. A blessing to a suffering public. Here's proof to back our statement: Mr. Ryall, of No. 11, Grosvenor St., South Yarra, a very old resident of Melbourne, Australia, states:

For some considerable time I have been a sufferer from that annoying complaint known as Irritating piles. At times the irritation was very annoying, especially at night, and in the warm weather. I applied some of Doan's Ointment, which I had obtained and I am pleased to say that it gave me the desired relief from this annoying disease.

Doan's Ointment is splendid in all diseases of the skin: Eczema, piles, hives, insect bites, sores, chilblains, etc. It is perfectly safe and very effective. Very frequently two or three boxes have made a complete cure of chronic cases that have not yielded to other remedies for years.

Doan Ointment is sold by all chemists and storekeepers at 50 cents per box, or will be mailed on receipt of price by the Hollister Drug Co., Ltd., agents for the Hawaiian Islands.







# HIS LIFE AT STAKE

## Jury Now Hearing Hayashida's Case.

At 11:35 yesterday morning the following jury was sworn to try Hayashida for the murder of Bato at a labor camp on Waiakula plantation:

S. E. Pierce, Job Naukana, Edward Benner, G. D. Mahone, C. C. Conradt, A. C. Dowsett, Wentworth M. Buchanan, C. F. Merrifield, F. J. Dutra, Andreas Nelson, H. P. Kaohi and Henry Gehring.

Fifty minutes had been spent in completing the jury after the names of all of the latest venire not excused were placed in the trial jury box. The prosecution at the start had one and the defense two challenges left, all of which were exercised before the twelfth man passed his examination for cause.

Besides the event of Tuesday night, a new test was put to jurors. This was the influence that might have been made on their minds by the Advertiser's editorial of yesterday on the jury system.

Edward Dekum, advertising manager of the Advertiser, was especially caused to stand the brunt of this "shibboleth." Questioned by Mr. Cathcart for the defense, he said that after reading an account of the murder in the Advertiser he had "strongly" expressed an opinion, but could go by the evidence. Yes, he had read the editorial in that morning's Advertiser, but it would not influence him in this case. Japanese were like every other race, having good and bad among them. He did not think he would care to be tried by a jury who had expressed the opinion he had.

Mr. Cathcart challenged Mr. Dekum for cause and Judge Gear allowed the challenge with the remarks:

"You don't think yourself qualified to serve even as a Massachusetts juror? You are excused."

Mr. Prosser observed that Mr. Dekum had nothing to do with the editorial in the Advertiser, as he was in the advertising department.

Edmund Norris passed for cause, but Mr. Prosser used his last challenge to retire him.

Mr. Cathcart peremptorily challenged C. J. Ludwigsen.

**CRIME MORAL INSANITY.**

A. C. Lovelind did not believe in the death penalty, and was asked by Mr. Prosser if he would extend his scruples to the supposed case of the murder of his own brother.

"I believe that the authorities should prosecute criminals, but that they go too far in taking human life."

"You understand the law fixes the penalty?"

"Yes, but I think the law is wrong."

"But you don't make the law?"

"My belief is that one who kills another is morally insane and should be imprisoned."

H. E. Dulenberg did not believe in the death penalty, but if accepted would do his duty as a juror. He would not hesitate, on clear evidence of guilt, to convict. The juror passed for cause against Mr. Cathcart's challenge, but was peremptorily challenged. This was the final challenge of either side, and Henry Gehring having been called and passed for cause the panel was complete.

**RELAYED REQUEST.**

Judge Gear, without giving the name, mentioned the case of a juror who had passed early in the proceedings and whose long detention was a serious inconvenience. The juror had spoken to him privately, asking that if possible he might be excused.

"It is rather late," Mr. Cathcart said. "My challenges are exhausted. If it is the man I think it is, I am sorry I did not know before my challenges were exhausted."

The court regretted, then, that the excuse could not be granted.

**TRIAL BEGINS.**

Mr. Prosser, on the jury being sworn, opened the case briefly for the prosecution.

Mr. Cathcart excepted to Mr. Prosser's statements that Kawa was "a heavy and strong wood," referring to a club to be exhibited, and that it would be proved to the jury that "a cowardly and brutal murder has been committed at Waiakula."

The court ruled that the jury should disregard the statements in question. Oscar Cox, Deputy Sheriff of Waiakula, was the first witness.

**INTERPRETATION DISPUTE.**

A Japanese witness for the prosecution was on the stand after 4 o'clock, when a warm episode took place over interpretation. The witness was asked by Mr. Cathcart if he had been taken out of jail under a subpoena by the Government to testify in this case.

Mr. Prosser, prompted by former interpreter Chester Doyle at his elbow, objected to the interpretation of the question. It was contended that the question as put to the witness was unintelligible from the fact that there is no Japanese equivalent for the word "subpoena."

The discussion turned into a direct colloquy between Judge Gear and Mr. Doyle, the latter winding up with the ultimatum: "If you are satisfied with the interpretation I will quit."

Mr. Cathcart withdrew the question and instead of it asked, "Were you

called out of jail to testify for the Government?" Witness answered he was and that he had been in the jail since the trouble.

It is hoped that the trial will be concluded today.

**IMPOTUNATE CLAIMANT.**

Mrs. Anna Gertz, in her own behalf and as executrix of the will of Christian Gertz, deceased, has filed a motion in the Supreme Court to advance her petition for writs of mandamus in the Gertz mortgage matter to the head of the October term calendar. Her reason is that the first cause noted in the newspapers to be taken up is that of appointment of a trustee for the Banning estate, and that her petition has to do with the Banning estate under what she says is the illegal trusteeship of J. Alfred Magoon. If it may be shown that the principal in the Banning estate cannot be touched, then sufficient interest will be in the probate court coming to Banning to settle damages and waste committed in the Gertz mortgage matter.

It is set forth that W. O. Smith and Holmes & Stanley, declared in the petition to hold property illegally, ought to join in the prayer to have the Gertz mortgage matter examined before a trustee is appointed to the Banning estate.

Mrs. Gertz says in her writing that not one such important cause is on the calendar, "where a family has been robbed of all their earnings and a widow, first as wife, struggling for the return of the property, unable to secure an attorney to act honestly, every one had another excuse, commencing by 'here the complainant names sixteen lawyers, one of whom is now a judge, whom she retained or consulted at various times from the year 1895 onward. Some of them were paid retaining fees but none did anything, according to the document, but 'deceive.' In this list, it is further stated, 'are not included officials, who did also deceive.'"

Complainant relates her payment of costs in different proceedings and concludes thus:

"It may appear to this honorable Supreme Court that a conspiracy existed, and movant believes herself entitled to be heard first, instead of the appointment of a trustee for Banning's estate."

**MOTION FOR NEW TRIAL.**

H. G. Middleditch, trustee in bankruptcy of Chas. F. Herrick Carriage Co., has filed a motion for a new trial of his case against J. K. Kahanalei, saying that the decision and judgment in favor of defendant were contrary to the law and the evidence, and that since the trial newly discovered and material evidence has become available in that W. T. Rawlins, referee in bankruptcy in the U. S. District Court, will testify to plaintiff's regular election as trustee of the Herrick corporation in bankruptcy.

**CAPTAIN CAMERON'S WILL.**

Mrs. Agnes Cameron has filed a petition for probate of the will of her late husband, Captain Edward F. Cameron, whose estate as mentioned in the petition, consists of a life insurance policy for \$2000, a policy insuring burial expenses in the Mutual Life Insurance Association of Masters and Pilots of Steam Vessels, and personal effects to the value of \$250.

The will was executed on May 19, 1904, in presence of T. H. Hughes and J. R. Macaulay. To his wife the testator devised and bequeathed the insurance policies mentioned above, also the house and lot, 471 Beretania avenue, and the burial lot in Nuanu cemetery. His stepdaughters, Lulu and Clara Cameron, are bequeathed his gold chain to be converted into two gold bracelets to be worn by them in remembrance of him. Willie Cameron receives his gold watch and Gordon Cameron five dollars.

**PACIFIC HEIGHTS RAILWAY.**

In the matter of foreclosure of trust deed brought by W. O. Smith, trustee, against the Pacific Heights Electric Railway Co., Ltd., and others, Sister Albertina, as trustee for Stella K. Cockett, answers as one of the respondents for herself. She denies various allegations and prays that it may be decreed that she is the owner of the rails, overhead wire or cable and wire hangers alleged by her to be upon the lands owned by herself. Her claim thus set up covers 147 feet of the Pacific Heights railway.

**THE HANA LITIGATION.**

In the case of Sigmund Greenbaum and Charles Altschul, trustees, against the Hana Plantation Co., M. S. Grinbaum & Co., Ltd., and Union Trust Company of San Francisco, the Grinbaum company by its attorney, W. Austin Whiting, enters a joinder in the demurrer of the Hana company to its answer and cross bill, saying it will maintain its answer and cross bill as good and sufficient in law, fact and equity. Mr. Whiting enters his appearance as attorney for the Union Trust Co.

**COURT NOTES.**

The trial of Frank J. Turk's suit against Estrella Turk for replevin of a horse, buggy and harness was begun without a jury before Judge Robinson yesterday. E. A. Douthitt for plaintiff; C. C. Bittling for defendant.

Harry J. Johnson vs. Lee Toms & Co. is set for trial by jury before Judge Robinson today.

Harry Armitage is appointed by Judge Gear to appraise the estate of the late John N. Wright.

**THE JURY SYSTEM.**

(Continued from Page 1)

the jurors or the people at large, who have allowed this change to go on and who, when summoned as jurors, so far forget their duty or are so misled by the preliminary proceedings of a trial that they look upon themselves not as representatives of the community, entrusted with the high and important duty of determining the facts in a given case, but as advocates or partisans of one of the other parties to the case whether it be civil or criminal.

**DAVID L. WITHERTON.**

The Hawaiian Gazette annual issue to employees and their families will take place tomorrow at the Peninsula. The day will be spent in feasting and sports. There will be baseball, etc. The train will leave at 9:15 a. m.

# SISAL PESTS ARE FAST DISAPPEARING

## Entomologist Craw Will Draft Regulations For Oriental Fruits. Koebele's Good Work.

The Board of Commissioners of Agriculture and Forestry met at the Experiment Station yesterday afternoon. After the reading of the minutes of the previous meeting, President Thurston reported that the work on the map of the proposed Hilo forest reserve was in an advanced stage of completion and that the map might arrive on the Kinau Saturday.

Superintendent of Forestry Hosmer reported his movements from August 17th to September 23rd. During that period he looked over the Kona reserve, made a reconnaissance of the mauka boundary of the proposed Hilo reserve and made a tour of Maui with Governor Carter. He has also supervised the work at the experiment stations and has prepared and forwarded to the Department of Agriculture at Washington a mailing list of people to whom government publications are to be sent. Attached to the Superintendent's report were the weekly reports of work done at the King street and Nuanu stations. The report was received and placed on file. It was announced that the jars for the fruit exhibit had arrived and that the exhibit would be installed in the near future.

A letter from the Attorney General relative to the prosecution of A. F. Cooke for the destruction of government trees by the fire which started on his land at Palolo was read. He expressed the opinion that it would be possible to prosecute under section 200 of the Penal Laws which relates to malicious injury, but that under the peculiar circumstances of this particular case he doubted whether it would be possible to secure a conviction although the law covers injuries caused by carelessness as well as malicious ones. It was therefore decided to drop the matter. Mr. Hosmer stated that he would be ready to report in full on the proposed Hilo forest reserve at the next session of the board.

The report of Alexander Craw, Superintendent of Entomology, was then read as follows:

Division of Entomology.  
Honolulu, T. H., Sept. 28, 1904.  
To the Honorable Board of Commissioners of Agriculture and Forestry, Honolulu, T. H.

Gentlemen: The question of the advisability of your Board drafting regulations to prevent the introduction into the Territory of the serious fruit-fly pests that are known to exist in China, Japan, Eastern Pacific ports and other countries, was submitted to me at your last meeting and in reply I beg to report.

While it may appear arbitrary, the

total exclusion of fruits from the above countries is unquestionably the safest way to prevent the introduction of such pests into the Hawaiian Islands.

Under Act 44 of the Territory of Hawaii, your Board has ample power to make rules and regulations covering this most important question.

Fruit-flies belong to the Dipterous order of insects and are amongst the most prolific and rapid breeders and the most disgusting pests that horticulturists and agriculturists have to contend against in countries where they have gained a foothold. Take for instance, the introduced melon-cucumber fly that has completely put a stop for several years past to the cultivation, or rather production, of muskmelons on these islands.

In Queensland and Western Australia they can hardly raise fruit on account of fruit-flies. In Cape Colony, South Africa, fruit trees have to be covered with mosquito bar netting to protect the fruit from such flies. This makes the cultivation of fruit an expensive business, even with the Government purchasing the netting as they do in Cape Colony, selling it to the orchardists at actual cost. From the above facts, it will be seen that the most drastic measures you may take to guard against such pests will be none too severe.

I desire to lay before you the advisability of drawing up regulations, covering the importation and disinfection or fumigation, if deemed necessary, of trees or plants in inter-island traffic.

My attention has recently been called to this by the introduction of the "Ollinda beetles" (Aramigus fulleri) into Oahu from Maui, where it was unfortunately introduced from the mainland, a few years ago, as I have been informed. This beetle is a serious pest, cutting the leaves of trees and plants much in the same manner as the "Japanese beetle" (Adoretus umbrinus) and in the larvae form, it is more destructive, as it burrows into the roots of various fruits and plants, causing the death of the same. Lemon and orange trees are especially subject to their attack and would be a check to the profitable production of these fruits, should their cultivation be undertaken in a practical manner on these islands. I fear that it will now be a difficult task to check this pest and it could have been kept but with a little care. This could also have been done in preventing the spread of the "Japanese beetles" to the other islands.

Probably all the serious pests found upon cultivated plants have been introduced by the aid of man and the only hope of overcoming such pests, is

# SOME LAND QUESTIONS ON HAWAII AND MAUI

## Kick From Hawaii Over Enforcement of Homestead Law—Governor Carter in Favor of a New Road System—Forestry.

"I have just signed a lot of land patents," Governor Carter said when asked for the day's executive news.

"Oh, they are for Kohala, Kona, Puna, Oahu, etc. The grantees are people who have finished up their conditions, making good their claims to clear titles."

The Governor spoke of dissatisfaction on the part of Peter Lee, Levi Lyman and others over land matters on the island of Hawaii. He mentioned a long communication he had received from Mr. Lee and explained the matter thus: "It is about people that have taken up land adjoining their own homesteads but have not lived upon it, which is the principle underlying the whole Homestead Act. There is a great hue and cry because Mr. Pratt is carrying out the law. They claim it is a great hardship."

"As far as the law is concerned, however, it makes no difference whether the land adjoins their own or is a mile away. It has to be lived upon to comply with the law."

Governor Carter, speaking of his Maui tour, referred with much satisfaction to the arrangement made with the Maui Agricultural Co., whereby a fiber-making mill will be erected by the company whenever the homestead settlers have planted 250 acres in sisal. This news was given from Land Commissioner Pratt in the Advertiser of Monday.

"The roads on Maui are poor," the Governor said. "Even Government officials there appear to think that any kind of a road is good enough if you can pass over it."

"Where the road system is weak is in the fact that we are without estimates in all cases. The trouble is that the Legislature estimates for a road an amount not more than a third of what it will cost. What is the use of a road that is unfinished? Yet another prop-

the method you are now pursuing of ascertaining where their native home is and sending experts there to search for and introduce their natural checks. After a pest is once introduced this is really the only method by which the destructive ones can be held in check or subdued."

The old adage of "an ounce of prevention is worth a pound of cure" has been verified in the work done in California where no new pests have been established within the past twelve years.

There is a marked improvement in the quality and freedom from insect pests and diseases of fruits and vegetables brought from the mainland. Several lots have been destroyed and others returned, and that has evidently had a good effect.

Out of a cargo of 4566 packages of fruits and vegetables brought in on the last trip of the S. S. Alameda were several lots—40 boxes of nectarines, manifested as plums. Those were infested with "peach worms," the larvae of Anaea lineatella. Those were returned to the shipper. Scaly citrus fruits have also been destroyed, or returned. Our people pay good prices and should have the best to be had.

On September 26th the S. S. Mongolia arrived from China and Japan and brought another importation of eight boxes of pears, infested with the larvae of the Chinese fruit moth. Boxes and contents were promptly destroyed by fire.

We are making preparations for a vigorous campaign with fungus against the "Japanese beetle" during the rainy season.

The propagation of beneficial insects will also be attended to.

Respectfully submitted,  
ALEXANDER CRAW,

Superintendent of Entomology for the Board of Agriculture and Forestry.

The report was placed on file and by vote of the board, Mr. Craw was instructed to draw up regulations relating to the Oriental and Inter-island fruit trade as suggested in his report and submit them to the Committee on Regulations before the next meeting of the board.

It was announced that Jacob Kotinsky had arrived on the Korea and had entered upon his duties as Assistant Entomologist. The resignation of R. C. L. Perkins as assistant entomologist to take effect from August 1st was accepted. A letter from F. W. Terry regarding the sisal plantation was read as follows:

**REPORT ON SISAL PLANTATION.**

Honolulu, T. H., Sept. 14, 1904.

Board of Commissioners of Agriculture and Forestry, Honolulu, T. H.

Gentlemen: Owing to the report which has been circulated as to the unsatisfactory condition of the sisal on Sisal Plantation, I accompanied Mr. Thurston to that district on the 10th inst. in order to investigate the matter, and found conditions somewhat better than when visited last April. The distribution of the internal fungus, causing a yellowish and later a brown discoloration of the apical third of the leaf, was very limited, and certainly showed no signs of spreading.

The effects of mealy-bug attack is very evident on some of the older plants, but the more mature insects are very scarce, apparently having been destroyed through some agency, either insect or climatic. Very young mealy-bugs are numerous locally, but I think that the lady-bug, Cryptolaemus montrouzieri and its larvae will increase accordingly with the food supply, and prevent any serious increase of the pest.

As present the larvae of the beetle are rather scarce. Several plants of various ages were observed to be looking very limp and shriveled, but upon examination no cause could be determined; the plant-tissue appearing perfectly healthy. The cause is no doubt the shallowness of soil and consequent drought. In support of this theory it was observed that the adjoining weeds were also stunted in growth.

Generally speaking, the stock looks very healthy and promising; and the number of young plants ready for transference, far exceeds the available area.

Respectfully submitted,  
(Sgd.) F. W. TERRY,  
Assistant Entomologist.

Mr. Craw stated that he would propagate an insect that will destroy the pests attacking sisal. It was stated that the pest does not affect the quality of the sisal fibre although it hurts the vigor of the plant.

The following letter from Mr. Koebele was read and placed on file:

Cairns, Queensland, 19, VIII, '04.  
W. M. Giffard, Esq., Chairman of Special Committee on Entomology of Board of Com. of Ag. & For., Honolulu.

Dear Sir: We are shipping today in order to catch the Sonoma at Sydney another parcel of beneficial insects, full details of which have been sent to the entomologist (Mr. Kircaldy). Most of these are to be used against the case hopper, but one box contains other beneficial insects and these have been marked to be delivered to Mr. Craw, to whom I am writing concerning them. I regret that it is not possible to send insects via Brisbane from Cairns on the Canadian liners as the weekly Coast boat just fails to connect with these. Consequently the parcel of which I had advised you as being sent by the last of those boats will not arrive as I have already cabled you. As Mr. Perkins has resigned his position under the Board of Agriculture and Forestry and consequently will no longer be under the pay of the government, it may be well to inform you that our joint expenses amount to about \$415 per month.

Yours obediently,

A. KOEBELE,

Superintendent of Entomology.

We shall utilize the Canadian liners again as soon as we get further south as we shall then have train connection with these.

A letter from W. M. Giffard on the Hawaiian Sugar Planters' Association's financial help in supporting entomological work drew forth a vote of thanks and assurance of the board's co-operation. The executive officer was appointed a committee of one to look up the matter of a seal for the board.

**BILIOUS COLIC PREVENTED.**

Take a double dose of Chamberlain's Colic, Cholera and Diarrhoea Remedy as soon as the first indication of the disease appears and a threatened attack may be warded off. Hundreds of people who are subject to attacks of bilious colic use the remedy in this way with perfect success. For sale by all Dealers and Druggists. Benson, Smith & Co., Ltd., Agents for Hawaii.

Ako is ruling Wong Fart and Wong Tong on a promissory note for \$5000 secured by mortgage on Kapaa land.

# HE PLEADS NOT GUILTY

## Davis and Thompson Are Assigned to Defend Miranda.

Jose Miranda, under instruction of George A. Davis, one of his assigned counsel, yesterday morning pleaded "not guilty" to the indictment charging him with the wilful murder of Samuel E. Damon. The advice was given through the interpreter in open court immediately after the appointment of counsel, and promptly followed by the prisoner through the same medium. Frank E. Thompson, the associate counsel, had only that moment been notified by telephone of his appointment and was not present.

Immediately after the plea was entered, Miranda was removed by the officers and returned to Oahu prison.

Judge Gear at first asked Henry E. Highton if he would undertake the defense.

Mr. Highton declined in the following speech:

"If your Honor please: I am compelled—perhaps under the circumstances reluctantly—to decline the appointment. I wish to say, however, distinctly and emphatically, that my declination is not based on some of the grounds that have been assigned before this court. I yield to no man in my appreciation of the great loss the community has sustained. But that is not the question here and now. Next to God and my family, I respect, indeed venerate, the constitution, the laws, the institutions, the civilization, of my country, and I would be ashamed to believe that any man accused of crime, however poor or degraded, in the United States, which includes Massachusetts and Hawaii, could be deprived of a fair, just and complete trial before a court and a jury. I would defend no man, unless I could make his defense thorough, and, placed as I am just now, it would be impossible for me properly to represent this defendant. For this reason, I must ask Your Honor to excuse me."

Judge Gear next asked for C. C. Bittling, but that attorney was outside of the bailiff's call, though he came in a few minutes later and, answering the court's question, stated that he had been engaged in the Federal court.

George A. Davis was then asked to take the case and accepted, saying:

"This is not a case that I am anxious to undertake, but I feel that our institutions are on trial in the present instance. It is either a case of introducing the mob law of the South in Hawaii or of vindicating our judicial institutions here. This man is accused of a capital offence. He is either guilty or innocent. If he is guilty of this murder—then he should suffer death, but if he is innocent then he must go free, but whether guilty or innocent the constitution of the United States guarantees him a fair and impartial trial no matter what his color, creed or race may be. If your honor should appoint me and also appoint Frank E. Thompson in the case, I will do my best in the prisoner's interests quite irrespective of public opinion."

Judge Gear named Mr. Thompson as counsel with Mr. Davis, saying it was the duty of those appointed to defend that man to do so to the very best of their ability, without fear of how they might be regarded by public opinion. God forbid that any accused man—no matter how low or poor, of what race, or condition—should be deprived of constitutional guarantees. As long as he had anything to say, those guarantees would be enforced in that court.

Mr. Davis said he had read the indictment and it seemed to be correct in form. The plea of the defendant was then taken as stated.

Judge Gear set the trial for Monday morning next at 10 o'clock.

As the prisoner was taken away a large crowd dissolved through the public doorway, at which Judge Gear remarked, "I thought they were jurors."

About an hour after the removal of Miranda from the courtroom, Frank E. Thompson in some excitement entered, interrupting the proceedings in the Hayashida murder case. Obtaining the attention of the court, Mr. Thompson said he wished to be relieved from the duty of defending Miranda.

"I believe the man is guilty," he said emphatically.

Mr. Prosser objected to such a statement before jurors who might be called in the case, but all he got in reply was, "I am addressing the court, Mr. Prosser."

Mr. Thompson went on to say that he had been out of practice for some time recently and thought this requested task should not be imposed on him. Not only did he believe the accused guilty, as he repeated, but he was a friend of the murdered man.

Judge Gear declined to rescind the appointment and Mr. Thompson, as he turned to leave the room, exclaimed with an air of fortitude,

"I will be ready."

**THE JURY SYSTEM.**

(Continued from Page 1)

the jurors or the people at large, who have allowed this change to go on and who, when summoned as jurors, so far forget their duty or are so misled by the preliminary proceedings of a trial that they look upon themselves not as representatives of the community, entrusted with the high and important duty of determining the facts in a given case, but as advocates or partisans of one of the other parties to the case whether it be civil or criminal.

**DAVID L. WITHERTON.**

The Hawaiian Gazette annual issue to employees and their families will take place tomorrow at the Peninsula. The day will be spent in feasting and sports. There will be baseball, etc. The train will leave at 9:15 a. m.

**THE JURY SYSTEM.**

(Continued from Page 1)

the jurors or the people at large, who have allowed this change to go on and who, when summoned as jurors, so far forget their duty or are so misled by the preliminary proceedings of a trial that they look upon themselves not as representatives of the community, entrusted with the high and important duty of determining the facts in a given case, but as advocates or partisans of one of the other parties to the case whether it be civil or criminal.

**DAVID L. WITHERTON.**

The Hawaiian Gazette annual issue to employees and their families will take place tomorrow at the Peninsula. The day will be spent in feasting and sports. There will be baseball, etc. The train will leave at 9:15 a. m.



## WHAT THE CATTLEMEN ARE GOING TO DISCUSS

A. F. Judd, secretary of the Hawaiian Stock Breeders' Association, states that it is to be understood that the main subject, announced for discussion at the meeting of that body on November 14, is not a positive affirmation that there is an "overproduction of beef and mutton."

It is rather a question to be considered of whether there is actually such overproduction. Graziers are divided in opinion on the question, and Secretary Judd says an effort is being made to secure statements of exact data from every ranchman in the Territory.

One prominent cattle owner is quoted by the secretary as holding that the trouble with the business at present is not overproduction, but competition between good beef and poor beef. Ranchmen who have large herds of a scrappy grade of beef are said to be too eager to have their stock marketed.

Mr. Judd agrees in general with the views of the industry put forth in the Advertiser. He is a believer in the proposition that the raising of good cattle is not only more profitable in the long run, but cheaper in the actual processes of raising and herding. Well-favored cattle for one thing are tamer, thus taking on flesh more readily, be-

sides, requiring far less of labor in tending. Poor animals are so frisky that they tend to bone and sinew and need more men to look after and keep them within controlling bounds.

Referring to the tax appeals on cattle, Mr. Judd says the system of the assessors is wrong. It is unfair to lay a uniform assessment per head upon cattle. Steers of good strain feeding in succulent pastures will make 600 pounds in three years, while 300 or 400 pounds will be the weight for age of a meaner grade on the dryer tracts. The assessors are making things too easy for themselves, Mr. Judd says. They ought to inspect the herds at close hand and classify them, and in this work be unattended by the cattlemen having to do with the herds. These men can easily fool the ordinary assessor in manipulating roundups.

Mr. Judd also considers it inequitable as well as unscientific to place an extra \$3 a head on the valuation of cattle on the Island of Oahu, which is done upon the theory that it costs the cattle-raisers of the other islands that much to bring their cattle to the Honolulu market. His objection to this practice is based on his disbelief in the whole theory of uniform valuation.

## MR. HAGUE AND HIS QUEER THEORY ABOUT LOST ISLAND

The Washington Post has an account of the meeting of the eighth annual International Geographic Congress from which we take the following extract:

In the afternoon session James D. Hague of New York told the story of the search for "the reported island or islands" of the North Pacific Ocean between Hawaii and Panama.

He discussed the theory that the United States sloop-of-war *Levant*, which disappeared mysteriously in 1880 on her voyage from Hawaii to Panama, may have been wrecked on an island in this neighborhood, and the possible survival of some of the ship's company.

This island is supposed to be about 1,000 to 1,200 miles east southeast from Hawaii, substantially in a direct line between the Port of Hilo and the Bay of Panama. The land has more than once been reported by sailors, chiefly whalers.

"One thing," he said, "seems to me probable—that there is some danger to navigation in that region. And now that our commerce is rapidly increasing and these reported dangers lie directly in the route of sailing vessels to Australia from San Diego and San Francisco, it becomes incumbent upon our Government to make an exhaustive survey."

"In March, 1902, Capt. Robert T. Lawrence, commanding the steamship *Australia*, on his way to San Francisco from Tahiti, reported passing two patches of what no doubt was shoal water."

"This observation did much to revive interest in the question of the existence of islands in that part of the ocean."

"Certain incidental circumstances had led by chance to the revival of the generally forgotten mysterious fate of the United States sloop-of-war *Levant*, which, having sailed on Sept. 18, 1880, from the port of Hilo, Hawaii, for the port of Panama, has never since been heard from, by any trace whatever, unless it be in certain wreckage found on the south shore of Hawaii in June, 1881, there and then identified by local authorities as wreckage from the *Levant*."

"I had the honor to bring the matter to the attention of President Roosevelt in June, 1903, and thereafter, on presentation of the known facts at the Navy Department, the Secretary of the Navy, Mr. Moody, determined to send an expedition as soon as one or more suitable vessels could be spared for the service, to settle finally the question of the existence or non-existence of any shoal, reef, or island in the doubtful region."

"The newly built cruiser *Tacoma*, on her trial trip from San Francisco to Honolulu, was ordered to make a de-

tour in that region in the latter part of May of this year. According to the report of her commander, R. F. Nicholson, search for the island was made for four days, during which neither land, shoals, nor signs of land were seen; in fact, the locality was remarkable for the total absence of birds.

"These results throw no light on the mysterious fate of the *Levant*. The ship's company might have landed without the loss of a single life, in which event there might still be some survivors, whose chances of living till now on a fairly habitable and healthy island might and perhaps have been more favorable than elsewhere."

"I may venture to recall the interesting incident that Edward Everett Hale's Philip Nolan, 'The Man Without a Country,' ended his romantic career on the *Levant* on this, her last and fatal voyage. There may have been a whole ship's company of men now without a country cast away on this mysterious island nearly 44 years ago, some of whom may be gill watching for a sail. This would indeed be a marvelous thing, but it is not beyond the range of possibility. The mutineers of the *Bounty* lived on Pitcairn Island eighteen years before they were found there, and the extreme and solitary isolation of this supposed land would fully account for the long undiscovered seclusion of the castaways."

"The venerable author of 'The Man Without a Country' has manifested a very keen interest in all that pertains to the recent search for the *Levant* and in the efforts to solve the mystery of her fate."

Prof. J. Thoulet of Nancy, France, presented a complimentary resolution to Prince Albert I. of Monaco for his work on deep sea soundings.

In the evening there was a joint lecture at the Museum of Natural History by Dr. William Hunter Workman and his wife on their explorations among the glaciers of the Himalayas. Following the lecture there was a reception in the home of the Geographical Society.

**SOUTH AFRICAN CARPENTER CURED BY CHAMBERLAIN'S COLIC, CHOLERA AND DIARRHOEA REMEDY.**—Mr. Geo. Taylor, a carpenter at Port Elizabeth, Cape Colony, who had a very bad attack of cramp colic and dysentery, says: "I was so bad I had to go to bed, when a friend of mine gave me two doses of Chamberlain's Colic, Cholera and Diarrhoea Remedy and I got better at once. The third dose completely cured me. I am never without it now." This remedy is for sale by all Dealers and Druggists. Benson, Smith & Co., Ltd., Agents for Hawaii.

## MISS HOLT AND MR. HARRY MURRAY ARE WED



MR. AND MRS. HARRY E. MURRAY.

Beneath an arch of pampas grass plumes Miss Helen Holt and Mr. Harry Edward Murray were married last evening in St. Andrew's Cathedral by the Rev. Mr. Simpson, in the presence of an audience of friends which more than filled the church.

It was a pretty ceremony which united the young couple in the holy bonds of wedlock, the cathedral interior being made attractive by the decorations of the church interior. The chancel rail was covered with greenery, the pulpit and lectern being hidden beneath palm branches. The gate through the chancel rail was marked by towering plumes of pampas grass, which, falling over the entrance, formed a pretty arch.

Shortly after 8:15 o'clock to the strains of a wedding march played by Prof. Gerard Barton the bridal procession filed into the church and up the main aisle. First came a dozen pretty young maids from St. Andrew's Priory, all dressed in white and wearing white veils. Following them came the vested choir of St. Andrew's. Then came the bridesmaid, Miss Mary Chillingworth, looking handsome in a gown of blue pineapple silk over blue taffeta. Lean-

ing upon the arm of her father, Mr. John D. Holt, came the bride, beautiful in an exquisite gown of white pineapple silk over white Duchesse silk, the bertha of the bodice trimmed with real lace. Her veil was caught in the collar with a spray of orange blossoms.

At the chancel steps the bridal party was met by the groom and his best man, Secretary of the Territory A. L. C. Atkinson. The minister greeted the party at the steps, and in the simple, yet impressive service of the Episcopal church, made the couple man and wife, Mr. John D. Holt, father of the bride, giving his daughter away in marriage. The more serious part of the service was read at the gateway to the altar before which the bride and groom knelt.

Following this the party proceeded to the vestry where their names were inscribed on the register, and on finishing this duty the organ pealed forth again in the glad refrain of the Mendelssohn Wedding March, the party passing out of the church to carriages in waiting in which they were whirled to the Holt residence just off upper Fort street.

In the parlor of the home the couple received their friends. Male and female formed a pretty canopy beneath which the bride and groom, assisted by the bridesmaid and groomsmen received.

A large number of beautiful presents were displayed in the dining room. There were a number of cut glass bowls, sets of solid silver, glassware, paintings and household utensils. One of the largest sets was from about fifty of Mr. Murray's friends in the Honolulu lodge of Elks. This was a handsome case containing a complete set of silver marked with the initials of the bride.

The Ellis quintette club played sweetly on the lull while the guests, after congratulating the couple, repaired to the lawn where a tent was erected. Beneath this were small tables, at which light refreshments were served. In another smaller tent there were liquid refreshments, where the groom in person was toasted to the refrain.

"Poor Old Harry,"  
"He's a Good Old Fellow."

The bride is a popular member of her social set. The groom is one of the best known of the local lodge of Elks, a staunch Republican, and was the candidate for County Clerk who ran on the Republican ticket last year and was elected by a good majority.

## HIGH STAKES IN SEVEN-UP

It has been more than a quarter of a century since I touched a card, though in my youth the fascination of play was so great that nearly my whole time was passed that way," said Mr. R. T. Lestrangle, of New Orleans, at the Riggs House. "At times I had been very lucky and occasionally made heavy winnings. Then there came a period, which has happened in the life of all who court fickle fortune, when it seemed impossible for me to get into a game without losing. I lost all my ready cash, a productive and well-stocked farm, jewelry and every article of personal belonging that could be converted into money, in all, about \$40,000, and when this had been wiped out I felt the suicidal impulse pretty strongly. I might indeed have succumbed to it, but I was young and healthy and naturally of buoyant spirits."

"In those days one of the great games of the Southern country was seven-up, and the people played it for higher stakes, I imagine, than they do now. One day when my fortunes seemed at their lowest ebb I met a rich young sugar planter with whom I had often played, and who really loved the excitement of the sport more than he did the money he might win. In all our previous play, as I remember, he and I had about broken even. What he won from me at one sitting I generally recovered the next, and vice versa."

"Though I am sure we had been at it for five or six years, and never missed a session whenever he came to the city, I don't suppose there was \$500 difference in all that time. We generally began playing for \$10 per game, and often wound up by staking \$100 on the result. This day he challenged me as usual and invited me to go with him to his room in the old St. Charles Hotel to play. He hadn't the remotest idea of my straitened financial condition, for I still wore as expensive clothes as in my flusher days. Instinctively I felt in my pocket and my hand came in contact with a solitary note. It was a \$10 bill, and all the money I had on earth. Something whispered to me to go ahead and play my planter friend. But prudence said: Better make an excuse, for if he wins the first game, you will be broke, and it will be humiliating to confess your impoverished condition. Besides, he was as good a player as I, and I remem-

bered what bad fortune attended me. "Well, to cut it short, I defied prudence and went with him. If I had been the possessor of the Bank of England I would not have wanted any greater capital than the lone \$10 in my pocket. The first game I won, and many succeeding ones, and at the end of two hours' play my opponent owed me \$2,000. Then he smilingly proposed to play just one more game, which would decide whether he would pay me \$4,000 or nothing. In other words, he wanted a chance to get even on this one game or else to double his indebtedness. I knew his check was good for a great deal more than \$4,000, and yet, broke as I was, the \$2,000 I had won seemed like a million, and it looked criminal to risk it on a single game. Again something told me to play him and I consented."

"In the first two deals he made 6 points while I had but 1, and in my heart I was already cursing my folly, for such odds are not beaten once in a thousand times. While he thus laced but 1 point of winning, it was my turn to deal, which made it even worse for me. I turned a club, and my opponent led out the king of that suit promptly, upon which I played the ace. He also held the trey, but to his great chagrin I had the deuce. As a result I scored 3 points, making my total 4, while he got nothing. It was now his time to deal, and again clubs were trump. Scanning my hand, I saw it contained the jack and four, and I promptly played. The planter's hand contained not a single trump and so the game went to me, nor did he ask for any further continuance, saying he would be revenged at some future time."

"With the \$4,000 I thus acquired, I shook off the dust of the Crescent City, took a solemn vow never to play a card again for money—a vow still unbroken—and going West went into mining in Colorado, where I met with success. But I often wonder, what would have become of me if I hadn't won that final game."—Washington Post.

### All Up With Togo.

VLADIVOSTOK, Sept. 20.—The hermit from Mount Athos, with the Holy Image of the Mother of God, has conferred his blessing upon Vice-Admiral Skrydlov and the ships of his squadron.

The Official and Commercial Record contains all meeting notices and all cooperation notices of every kind and description.

## BATS MIGHT BE A GOOD THING

The Planter's Monthly says: We are in receipt of a communication from Mr. W. J. Lowrie of Central Aguirre, Porto Rico, in reference to the importation of bats into the islands for the purpose of controlling certain of our insect pests, such as the mole cricket.

Mr. Lowrie is favorably remembered as the former manager of our two largest sugar plantations—Ewa and Hawaiian Commercial and Sugar Co.—and knowing the conditions under which sugar cane is grown here, is well able to express an opinion upon the subject. Mr. Lowrie says:

"In the Planter's Monthly for June I notice that you have quite an article on the Changa, or Mole Cricket, taken from Bulletin No. 2 of the Porto Rico Agricultural Experiment Station, by O. W. Barrett."

"It is true that here on the south side of the island of Porto Rico there are Changas, but still I have noticed and seen very little damage done by them. Some of the old planters here, Spaniards and Porto Ricans, tell me that they were brought here years ago in cargoes of guano, but I have forgotten the name of the island they came from."

"In this connection, I notice in the Hawaiian Star of June 21, an article on the question of Bats for the Island, and they say that Professor Perkins thinks they will not thrive in Hawaii. I wish to say that here in Porto Rico there are millions of them everywhere. They have enormous caves of bat guano. I, myself, have seen several hundred tons in one cave, and the bats are so thick that I could say there is scarcely an event of a day that they don't fly all through our house."

"Now, these bats, of course, get their work in at night when the change is after his food, and the chances are, and it is very likely too, that these very bats keep down the pest, and my thought is that as they (the bats) do flourish in Porto Rico, certainly they should flourish in Hawaii, and I think Professor Perkins must be mistaken. I should strongly recommend the Planter's Association to import a lot there."

"Another thing that we have here is a great many little frogs. They, of course, get their work in at night, and between the frogs and bats we haven't many change."



HON. CARL S. SMITH, WHO IS MANAGING THE REPUBLICAN CAMPAIGN ON HAWAII.

**"The Cultivation of the Sugar Cane"**  
a treatise on the fundamental principles of growing Sugar Cane, should be in the hands of every planter.  
The value and use of  
**Nitrate of Soda**  
(THE STANDARD AMMONIATED) in increasing and bettering the growth of Sugar Cane is now so well understood that the real profit in sugar growing may be said to depend upon its use.  
This Book and other valuable Bulletins of value to every one engaged in agriculture, are sent entirely free to anyone interested. Send your name and complete address on Post Card.  
Wm. S. Myers, Director, 11-15 John St., New York.

**CHAS. BREWER & CO'S NEW YORK LINE**  
Bark Nuanu sailing from New York to Honolulu about Nov. 15th. FREIGHT TAKEN AT LOWEST RATES.  
For Freight Rates apply to CHAS. BREWER & CO., 27 Kibby St., Boston, Or C. BREWER & CO., Ltd., Honolulu.

**Bombay-Bremen Fire Insurance Co.**  
The undersigned having been appointed agents of the above company are prepared to insure risks against fire on Stone and Brick Buildings and on Merchandise stored therein on the most favorable terms. For particulars apply at the office of  
F. A. SCHAEFER & CO., Agts.

**North German Marine Insurance Co. OF BERLIN.**  
**Fortuna General Insurance Co. OF BERLIN.**

The above Insurance Companies have established a general agency here, and the undersigned, general agents, are authorized to take risks against the dangers of the sea at the most reasonable rates and on the most favorable terms.  
F. A. SCHAEFER & CO., General Agents.

**General Insurance Co. for Sea, River and Land Transport of Dresden.**

Having established an agency at Honolulu and the Hawaiian Islands, the undersigned general agents are authorized to take risks against the dangers of the sea at the most reasonable rates and on the most favorable terms.  
F. A. SCHAEFER & CO., Agents for the Hawaiian Islands.

**"The Overland Limited"**  
ELECTRIC LIGHTED

**California**  
To the EAST via  
**The Union Pacific**

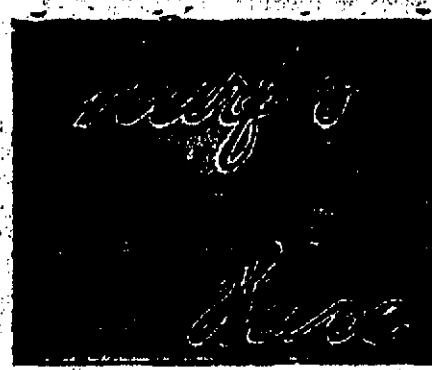
This Train is really a  
**First-Class Modern Hotel**  
with Handsome Parlors, Drawing Rooms, Bed Chambers, Boudoirs, Libraries, Smoking and Reading Rooms, Barber Shops, Bath Rooms (hot and cold water), superbly appointed Dining Rooms, glittering with Mirrors, Cut Glass, Fragrant Flowers, Electric Candelabra, etc.; Promenades, Observation Rooms, Electric Lights, Electric Fans, Telephones, Electric Reading Lamps, Perfect Heat, etc.

**RUNS EVERY DAY IN THE YEAR**  
Full Information cheerfully furnished on Application to  
**S. F. BOOTH,**  
General Agent,  
1 Montgomery St., San Francisco  
E. L. Lomax, G. P. & T. A., Omaha, Neb.









ARRIVED.

Wednesday, Sept. 28.  
Stmr. Mikahala, Gregory, from  
Kauai ports, 5:10 a. m.  
Stmr. Likelike, Naopala, from Maui  
and Molokai ports, 7 a. m.

Thursday, Sept. 29.  
Stmr. Niihau, W. Thompson, from  
Kauai ports, 5:40 a. m.

DEPARTED.

Tuesday, Sept. 27.  
Am. schr. Annie E. Smale, Wirschu-  
lett, for the Sound, 11 a. m.  
P. M. S. S. Mongolia, Porter, for San  
Francisco, 11 a. m.

Stmr. J. A. Cummins, Searle, for  
Waimanalo and Koolau ports, 7 a. m.  
Stmr. W. G. Hall, S. Thompson, for  
Kauai ports, 5 p. m.

Stmr. Claudine, Parker, for Maui  
ports, 5:10 p. m.  
Am. bk. Edward May, Hanson, for  
Makawili, 4 p. m.

Stmr. Niihau, S. Thompson, for Kauai  
ports, 5:10 p. m.  
Stmr. Noeau, Pederson, for Kauai  
ports, 5:25 p. m.

Stmr. Kaula, Bruhn, for Hawaii  
ports, 5 p. m.  
Schr. Kawailani, for Pearl Harbor,  
12 m.

Schr. Lady, for Puuloa, 6:30 p. m.  
O. S. S. Alameda, Dowdell, for San  
Francisco, 9 a. m.

Stmr. Likelike, Naopala, for Maui  
and Molokai ports, 5 p. m.  
Stmr. Mikahala, Gregory, for Kauai  
ports, 5 p. m.

It. sp. Fortunato Figari, Brignati, for  
Sydney Heads, 11:30 a. m.  
Am. bk. James Tuft, Friedberg, for  
Puget Sound, 5 p. m.

Stmr. Niihau, W. Thompson, for  
Kauai ports, 5 p. m.  
Schr. C. L. Woodbury, for Hilo direct,  
5 p. m.

PASSENGERS.

Arrived.  
Per stmr. Kaula, Sept. 28, from Maui  
and Hamakua ports.—Mr. Stephen, C.  
V. E. Dove, A. Hustman and wife, P.  
Nichols, wife and infant and 12 deck.  
Per stmr. Likelike, September 28,  
from Maui and Molokai ports.—Hon. G.  
R. Carter, Miss Carter, W. O. Atwater,  
Miss Coleman, J. W. Springton, R. S.  
Hosmer.

Departed.

Per stmr. Claudine, Sept. 27, for Maui  
ports.—J. B. Castle, C. M. Cooke, J. S.  
Medeiros and wife, Mrs. R. Peplowski  
and 2 children.

Per stmr. Kinau, Sept. 27, for Hilo  
and way ports.—D. Forbes, J. F. Woods,  
C. W. C. Deering, P. P. Woods, E. H.  
Wodehouse, E. E. Conant, J. R. Collins,  
Charles Dudott, H. T. Walker and wife,  
T. S. Kay, A. Mason, Mrs. C. W. C.  
Deering, G. N. Batchelder and wife,  
Prince and Princess David Kawanapa-  
ka, Rev. J. Kekipi, Rev. S. Fujii and  
wife, A. B. Lindsay, T. T. Everitt, Mrs.  
L. K. Pearson and son, D. Forbes, F.  
O'Brien, W. K. Realeaux, W. Craven,  
Miss M. E. Maby, D. Clark, J. T. Cra-  
ven, A. Newhouse.

DUE TODAY.

Stmr. Mauna Loa, Simerson, from  
Kona and Kau ports, a. m.  
U. S. S. Buffalo, from Midway, on  
cruise, due.

DUE TOMORROW.

T. K. K. S. S. America Maru, Goling,  
from the Orient, due.  
Stmr. Kinau, Freeman, from Hilo,  
a. m.  
Stmr. Likelike, Naopala, from Maui  
and Molokai ports, p. m.

VESSELS IN PORT.

ARMY AND NAVY.  
U. S. S. Iroquois, Niblack, station  
vessel.

MERCHANT VESSELS.

Amaranth, Am. bkt., Bower, Newcastle,  
Sept. 25.  
Erskine M. Phelps, Am. sp., Graham,  
Philadelphia, Aug. 31.  
Hawalian Isles, Am. sp., Mallett, New-  
castle, Aug. 13.  
Paul Isenberg, Ger. bk., Janssen, Ham-  
burg, Sept. 25.  
San Diego, Am. bk., Anderson, San  
Francisco, Aug. 23.  
W. H. Marston, Am. schr., Curtis, San  
Francisco, Sept. 20.

Shipping Notes.

The James Tuft got away for the  
Sound last night.  
The steamer Mikahala sailed for Kauai  
ports yesterday.

The Fortunato Figari sailed for Syd-  
ney Heads yesterday.  
Freight for Hilo direct went by the  
Island schooner C. L. Woodbury last  
night.

The next mail to the Coast will go  
on the Japanese liner America Maru  
which will sail on Saturday or Sun-  
day.

Captain Humphreys has a new port-  
able electric pump at the Naval dock.  
It is to be used to pump water from the  
artesian well in the Naval sta-  
tion grounds to the town.

Captain Chase, well known here as  
master of the Planter, is now captain  
of a brig on the Coast which is about  
to sail for West Australia. He may  
bring a cargo of coal to this port on  
his return.

Buffalo to Arrive.

The U. S. S. Buffalo, which was ex-  
pected yesterday from Midway, failed  
to put in an appearance. She will  
probably arrive today and will remain  
several days. As she is the first war-  
ship here for some months there will  
probably be many visitors to her.

THE OLD RELIABLE

ROYAL



BAKING  
POWDER

Absolutely Pure  
THERE IS NO SUBSTITUTE

MATTERS BEFORE  
THE FEDERAL COURT

Judge S. B. Dole yesterday natural-  
ized aliens as follows:

Fred. August Lunning and Baldwin  
Mehner, Germany; Frank Goveia,  
Frank Costa; Fremer Preira and John  
R. Costa, Portugal; Jean Deton,  
Greece.

Clarence D. Pringle, a car conductor,  
was yesterday adjudged a bankrupt by  
Judge Dole. This was in regard to the  
bankrupt's former business in Hilo.  
There are debts, all unsecured, amount-  
ing to \$1858.25 and no assets.

VOTERS SLOW  
TO REGISTER

It is up to every citizen who has not  
registered to attend to that important  
duty at once. Only nine more days re-  
main in which you can place your name  
on the roll that you may vote at the  
coming election. Chairman Rawlins  
of the Board of Registration stated  
last night that the registration in the  
Fourth district was far below that at  
this date two years ago. He did not  
have the exact figures at hand but  
roughly the comparative totals are as  
follows:

	1904	1902
Hawaiians	1000	1300
Portuguese	140	210
Whites	998	126
Total	2138	1536

With other classes not enumerated  
above the discrepancy between the  
registration in 1904 and in 1902 is a loss  
of about 1100 votes which is a tremen-  
dous difference in a city of this size.  
Registration will close on the 8th day  
of October and on that day the regis-  
tration office will be kept open from  
7 a. m. until 12 midnight to accommo-  
date the laggards.

ARE TO SURVEY  
THE IROQUOIS

When the Buffalo arrives from Mid-  
way Captain Niblack will ask to have  
a board of survey appointed from  
among her officers to report on the con-  
dition of the U. S. tug Iroquois. The  
Iroquois is thirteen years old and was  
formerly the Sprockels tug Fearless and  
was bought by the government at the  
time of the war. She has not been  
docked for five years and needs an  
overhauling badly.

U. S. DEPARTMENT OF AGRICUL-  
TURE.

Weather Bureau.  
The following data, covering a period  
of 27 years, have been compiled from  
the Weather Bureau and McKibbin  
records at Honolulu, T. H. They are  
issued to show the conditions that have  
prevailed, during the month in ques-  
tion, for the above period of years, but  
must not be construed as a forecast  
of the weather conditions for the com-  
ing month.

Month October for 27 years.

TEMPERATURE (For 14 years.)

Mean or normal temperature, 75 de-  
grees.

The warmest month was that of  
1896, with an average of 77 degrees.  
The coldest month was that of 1903,  
with an average of 73 degrees.

The highest temperature was 90 de-  
grees on October 10, 1891.

The lowest temperature was 63 de-  
grees on October 30, 1892.

PRECIPITATION (For 27 years.)

Average for the month, 2.46 inches.

Average number of days with .10 of  
an inch or more, 17.

The greatest monthly precipitation  
was 6.88 inches in 1900.

The least monthly precipitation was  
0.44 inches in 1885.

CLOUDS AND WEATHER (For 19  
years.)

Average number of clear days, 13;  
partly cloudy days, 14; cloudy days, 4.

WIND (For 19 years.)

The prevailing winds have been from  
the Northeast.

Station, Honolulu, T. H.

Date of issue, September 29, 1904.

ALEX. MCC. ARHLEY,

Section Director, Weather Bureau.

INDICATIONS OF RHEUMATISM.

Sore and swollen joints, sharp, shooting  
pains, torturing muscles, no rest, no  
sleep—that means rheumatism. It is a  
stubborn disease to fight, but Cham-  
berlain's Pain Balm has conquered it  
thousands of times. One application  
gives relief. Sold by all Dealers and  
Druggists. Benson, Smith & Co., Ltd.,  
Agents for Hawaii.

AS OTHERS  
SEE HAWAII

Good Words About Us  
In Railroad  
Folder.

The following article on Hawaii ap-  
pears in The Southwestern Book, is-  
sued by the Passenger Department of  
the Baltimore & Ohio Southwestern  
Railway:

With our recently acquired posses-  
sions in the Pacific Ocean and the war  
in Manchuria and Korea, the attention  
of our country has been largely at-  
tracted toward the Orient lately. While  
our latest acquisition, the Philippines,  
have been much on evidence, we have  
another possession, nearer home, which  
promises richer and more immediate re-  
turns. The Sandwich Islands, which  
were annexed to the United States in  
1898, the half-way house to our pos-  
session in the Far East, offer a rich  
field, and one as yet little worked, for  
the tourist, the seeker for health, the  
artist or the literateur. Through the  
kindness of the Committee on Promo-  
tion, of Honolulu, we have been favored  
with the following brief sketch of these  
"Isles of the Blessed." With the rapid  
increase from year to year of transpor-  
tation facilities, both by land and sea,  
these islands are certain to be a popular  
resort, as well as a satisfactory com-  
mercial proposition, as soon as their  
advantages are better known.

Tropical in every feature but tem-  
perature, describes the climate of the  
Islands of Peace, the outpost of the na-  
tion in the mid-Pacific. Hawaii, whose  
name awakens memories of verse and  
prose in honor, whose history is full of  
romance and whose every prospect  
pleases, has grown all the more an eye-  
filling entity, since the Pacific has be-  
come the theater of the international  
drama.

It is a land of paradoxes and nega-  
tives. What picture of tropical jungle  
is conjured by story, but the memory  
peoples it with strange animals and  
reptiles? Yet in Hawaii there are well  
high impassable jungles of fern and  
cane and palm, but so far as known  
there is not a single snake in the archi-  
pelago outside the museum, not a beast  
which is an enemy to man. What land  
below the tropics but suggests extreme  
heat and fever, yet there is a land  
whose average temperature, taken at  
Honolulu, the capital, on the south side  
of the Island of Oahu, was only 73.07  
degrees for the year 1903, the highest  
average for any month being 77.9 de-  
grees for July, where on one day the  
register was 80 degrees, and the lowest  
February, where one day was cold at 56  
degrees.

Honolulu, lying closer to the equator  
than Havana or Mazatlan or Tampico,  
and in about the same latitude as Cal-  
cutta, is not a city of pest and death.  
Disease finds scant opportunity, and  
when the tens of thousands of Orientals  
who fill the broad fields are reckoned as  
a factor in the community, the intelligence  
and capacity of the citizens in keeping  
down and out the maladies which haunt  
other tropical centers, cannot be too  
highly commended. A fact it is that  
never in history has there been a sweep-  
ing epidemic. Sporadic appearances  
frighten no one, and the average health,  
though many who are ill seek this balmy  
climate, is excellent. Most sufferers find  
the equitable temperature specific for  
their complaint, and many to whom  
asthma and catarrh have made life mis-  
erable, are helped materially if not cured  
absolutely by residence in the favored  
isles. Hay fever seems to be unknown,  
and by making choice of altitudes and  
district one may find just the variety of  
climate he wishes, the year through.

Rheumatism disappears, jaded nerves  
are strengthened, the worn out system  
is toned by the newness of the life.  
Hawaii stands for scenery. Colorado  
or British Columbia have more moun-  
tains, Switzerland has greater peaks,  
Japan boasts of Fujiyama, yet on the  
Island of Hawaii, the largest of the  
group, are Mauna Kea and Mauna Loa,  
which lift their huge bulks, from a 30-  
mile base, almost 14,000 feet directly  
from the sea, and combine to form an  
enchanting picture, with their glisten-  
ing summits, refracting the spectrum's  
shades under the tropic sun, while they  
rest their feet in the summer sea, and  
clothe their sides in tropic jungle. From  
the steamer the great cones rise so  
gradually that their height at first ap-  
pears to be less than it really is, but the  
scene grows on the traveler and when  
finally Hilo, the port of debarkation for  
the volcano Kilauea, is reached, the view  
is impressive in the extreme. Of the  
beauty of this prospect, Dr. Sereno E.  
Bishop, writing of scenery in Hawaii, says:

"Nothing can be more superb than  
the view of Hilo looking northwest from  
the harbor. Far in the rear stands the  
two giant snow-covered mountains,  
Mauna Kea and Mauna Loa, with dense  
forests clothing their flanks far seaward.  
Along the northern coast for fifteen  
miles lie the beautiful plantations. To  
the southwest are the great forests of  
Puna, behind which smokes the low  
crater of Kilauea, 31 miles away.

"Kilauea volcano constitutes the most  
remarkable scenic attraction in Hawaii,  
and perhaps in the world, whenever it is  
in activity. This is due to its size, to  
the glory of its fires, and to the fact  
that the fires may be closely approached  
with convenience and safety. Often  
there are open lakes, white-hot molten  
lava, so gently and quietly seething that  
visitors can insert poles and withdraw  
cooling fragments of lava adhering to  
them. Kilauea is noted as essentially a  
tame volcano, devoid of explosive or  
dangerous action."

It is a noteworthy fact, that Hawaii  
is unique in the character of its vistas.  
Turning from negatives, it has the  
world's greatest living volcano, in Kilauea;  
the highest active crater in Moku-  
aweewe, the loftiest peak in the Pacific,  
is Mauna Kea; the greatest extinct  
crater is Haleakala, whose rim is 21  
miles in circumference, the floor of the  
crater being 2000 feet below the sepa-  
rated edge. Commercially, there are  
positives as well for the most productive

sugar plantations; mills of the greatest  
capacity, and harbors with the most ex-  
pansive holdings in the western ocean,  
are here.

With such mountains it must follow  
that the valleys, the cliffs, the canyons  
cutting the side of the peaks, and the  
level areas running down to the sea  
sands, are beyond comparison. Great ex-  
tinct calderas, with rim shattered by a  
gigantic gap, have been opened into  
valleys, which, with precipitous sides,  
saw-tooth edges and cloud-wrapped  
peaks, are as beautiful spots as any  
passed by the traveler's track. Some-  
times a canyon extends away up to  
some mountain pass, and through its  
miles of ascent, scores of waterfalls,  
each marked by its own rainbow, may  
be seen in the traversing.

And amid such natural beauties, the  
accommodations for the traveler, from  
the moment one leaves the continent,  
could not be surpassed. Great ships  
now take their place in the Pacific trade.  
Pacific Mail-monsters lead the van, the  
Cramp-built sister ships of the Oceanic  
line are a close second, the Canadian-  
Australian steamers are being improved,  
while English and Japanese vessels sail  
past the port.

In the line of hotels, Honolulu is well  
equipped, having capacity to care for  
hundreds of visitors, in hotels which are  
materially above the average, fitting  
even for front rank in any city in the  
world. Nearby are out of town resorts  
with every possible convenience, and of  
an excellent quality throughout.

It is as an all-the-year-round outing  
resort that Hawaii appeals to those who  
have enjoyed its summer breezes and its  
winter's sunshine. One may play golf  
on either of the three nine-hole courses  
on the Island of Oahu, every month in  
the year. One of the links is on the  
seashore, and its sandy soil, natural haz-  
ards, and splendidly placed artificial  
ones, make it very much like the sea-  
shore links in Scotland, and in fact,  
some golfers from that country consider  
the Haleiwa course as sporty as the  
average in the land of the thistle. Polo,  
tennis, yachting, hunting and fishing  
are at their highest development in Ha-  
waii, and there is no time in the year  
when any of these sports are not enjoyed  
to the utmost.

With these charms the tropic appeals  
to every one who comes under its spell.  
With these beauties it puts its brand  
upon him who tastes its joys. And so it  
is that those who know tropical pleas-  
ure will be satisfied with nothing else,  
for it is at once the combination and the  
sublimation of earthly joy.

SAM PARKER WANTS  
SHAW AND MAHELONA

A meeting of the Republicans of the  
Fourth district was held at the corner  
of Punchbowl and Luce streets last  
night. E. W. Quinn was chairman.  
Jack Lucas and Lilikalanai made rous-  
ing speeches urging the support of the  
entire ticket. Sam Parker was called  
upon and averred that even though he  
had been beaten he was a Republican  
still. He urged the election of Kuhlke  
and the entire ticket saying of the  
Fifth district candidates, "It's too late  
to change now. Elect them and let's  
see what they can do. Then if they  
are no good we can kick them out."  
Mr. Camara, W. W. Harris and A.  
D. Castro spoke urging the support of  
the full ticket. All spoke of the work  
of the Republican party in improving  
the Punchbowl district.

BROWN ISN'T  
BACKING SHAW

High Sheriff Brown when seen last  
night in regard to a rumor that he  
was supporting James Shaw for the  
legislature stated that in reality the  
exact opposite was true. "I had Shaw  
in my office this afternoon," he said,  
"and urged him to withdraw from the  
ticket, I told him that since these facts  
have come out that there was only  
one thing that he could do for himself  
and for the party and that was to get  
off the ticket. He talked some of run-  
ning as an independent candidate but  
I told him that such a course would  
be folly. He said that he had left the  
matter in the hands of his precinct  
delegation to the convention that nomi-  
nated him and that he would abide  
by their decision, saying that as they  
had supported him they should have  
the right to say whether he should  
remain on the ticket or not. No, I  
have done quite the contrary of what  
that report alleges."

STARVE THEM OUT

Why not starve the germs  
to death? Scott's Emulsion  
will do it.

The germs of consumption  
are an invading army number-  
ing millions upon millions;  
they must all be fed or they  
will soon die of starvation. A  
lung a little below "par" in  
vitality is just to their liking.

Why not put new life into  
it? Scott's Emulsion feeds  
the lungs. It fills the blood  
with nourishing food for all  
the weak parts. Good food  
means life. Life means re-  
sistive force.

Germs cannot live on heal-  
thy tissue. Scott's Emulsion  
and good fresh air drive out  
the germs of consumption.

We'll send you a sample free upon request.  
SCOTT & BOWNE, 409 Pearl Street, New York.

S. E. DAMON  
MURDERED

(Continued from Page 1.)

ANGRY CROWD GATHERS.

By nine o'clock the news of the mur-  
der had gone into all parts of the city  
and a crowd of men, and even women  
started for the Police Station. The  
crowd surged back and forth around the  
entrances eager to learn anything con-  
cerning the murder, or the murderer.  
Later on in the evening, or toward 10  
o'clock, there were rumors that a lyn-  
ching might take place. No credence was  
put in this statement at the time.

About midnight it was seen that a  
large crowd had gathered near the cor-  
ner of Fort and Merchant streets, and  
groups of men began forming on the  
postoffice landings. Suddenly the fire  
alarm whistle sounded. The crowd be-  
came active and started toward the  
waterfront via the Police Station way.  
The patrol wagon was hitched up as  
usual, but it did not move out of the  
stable. Neither did any police go. It  
was noticed then that there was a larger  
number of men on duty than usual.

Some carried rifles and all wore re-  
volvers strapped about their waists.  
As the crowd began to collect about the  
postoffice, the High Sheriff and officers  
began to do things. First the entrance  
to the stable was cleared. Then doors  
were slammed, and while the crowd  
was wondering why the patrol wagon  
did not move out, there was a clanging  
of an iron gate, a whip lash was heard  
to snap across the horses backs and  
the wagon shot out into the street, half  
a dozen officers standing in it guard-  
ing the form of Jose Miranda, who sat  
in the bed of the wagon. The patrol  
wagon careened as it swung out of  
Merchant into Nuuanu street and be-  
fore the crowd knew it the prisoner was  
being dashed along at a mad rate to-  
ward Oahu Prison where he was lodged  
safely in a cell.

The instant the patrol wagon started  
out, clerk McKinnon wrapped his arms  
around H. C. Birbe, who was standing  
on the sidewalk and hustled him into  
the station house, and then released  
him with a smile as the patrol wagon  
went tearing up the street. Birbe had  
been talking loud about lynching.

It is said the crowd meant to do  
something with the prisoner and had  
their plans well under way. There  
were too many ears open, and Sec-  
retary Atkinson as well as the High  
Sheriff caught on.

MURDERER CONFESSES.

While these exciting events were  
taking place, Jose Miranda was sit-  
ting in the High Sheriff's office, telling  
the story of his crime. He confessed  
all, corroborating the woman in nearly  
every detail. He said that it was be-  
cause the man had jumped out of the  
buggy and came toward him that he  
opened his knife and lunged at him  
with it. He stated that his knife  
struck the body of Mr. Damon.

Afterwards they ran up the road,  
and then took a lane which put them  
on the Oahu Railroad track. They walk-  
ed on this almost into town. He had  
carried the knife in his shoe but threw  
it away finally.

The man had evidently wiped the  
blade on his handkerchief, for this  
was found in his pocket almost sat-  
urated with blood. There were marks  
of blood all over his clothes.

CHITO TELLS ALL.

Blind Chito told what he knew. He  
knew there had been an argument  
with some on a buggy, about a lamp.  
He knew also that some one had been  
hurt, and then he was hurried along.  
From conversation he knew that Jose  
had struck the man with a knife.

FUNERAL TODAY.

Secretary A. L. C. Atkinson has tak-  
en charge of the obsequies by request  
of Hon. S. M. Damon. The funeral  
will take place this afternoon at 4  
o'clock from the family residence, Nu-  
uanu street. The pall-bearers will be  
announced today.

CORONER'S JURY.

Deputy Sheriff Chillingworth swore in  
the following jury at 12:30 this morn-  
ing: A. St. C. Mackintosh, W. D.  
Adams, Thos. J. Quinn, A. V. Gear,  
W. Savidge, Hugo Herzer. The jury  
viewed the remains at Henry Williams'  
Undertaking Parlor, and adjourned  
until 2 p. m. today.

THE LYNCHING PROPOSAL.

That there was a strong fear of a  
lynching party carrying out its pur-  
pose to hang Jose Miranda is evidenced  
by the fact that when the fire alarm  
was turned in, High Sheriff Brown,  
Deputy Sheriff Chillingworth, Sec-  
retary Atkinson and officers took Miran-  
da from his cell and lifted him up on  
the roof of the kitchen which is next  
to the makal wall of the prison en-  
closure. They carried him to the top  
of the wall, placed a rope about his  
waist and were ready to lower him to  
the ground on the outside where offi-  
cers were stationed to receive him.  
Then it was decided that the best plan  
would be to fool the crowd and take  
him out in the regular way.

SCARED INTERPRETER.

The police sent for the regular Porto  
Rican interpreter. When that indi-  
vidual reached the station house and  
saw the crowds lined up around the  
postoffice, he said: "Too much pilikia  
here," and off he ran. Senhor Cana-  
varro, the Portuguese Consul, who was  
down town, was prevailed upon to assist  
the department by acting as interpreter.

M'DUFFIE FINDS SHOES.

Detective McDuffie late last night lo-  
cated the shoes of Miranda in the lane  
leading from King street to the  
slaughter house in Kalihi. A handker-  
chief had also been left with the foot-  
wear.

MR. DAMON'S CAREER.

S. Edward Damon, was the eldest  
son of Mr. and Mrs. Samuel Mills Da-  
mon and was one of the most prom-  
inent and influential of the younger buk-  
nara men of Hawaii. He was a grad-  
uate of Oahu College, of Yale Univer-  
sity and of the school of Chartered

Sure Cure

The debilitating effects of a warm  
climate and exposure to all kinds of  
weather are sure to bring on disorders  
of the blood and weaken the system.



Mr. Charles Giddens, of Mr. Malcolm, W. A.,  
sends us his photograph, and tells of a sure  
cure for these conditions.

"For some time I have been landlurd of  
the Royal Hotel in the M. Margaret gold  
fields district, eighty miles from the nearest  
railway. I have sold a great deal of Ayer's  
Sarsaparilla, and it gives the most universal  
satisfaction. When miners, prospectors, and  
others become run down by lack of fresh  
vegetables and fruits, and from exposure  
to all kinds of weather, their blood becomes  
very impure and the whole system greatly  
weakened. But

AYER'S  
Sarsaparilla